

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

AGENDA FOR REGULAR CITY COUNCIL MEETING

**July 27, 2010
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.

Roll call and Executive Session*
Invocation and Pledge of Allegiance
Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Police Chaplain Lisle Davis
Pledge of Allegiance**

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 20, 2010 and the Special City Council Meeting of July 21, 2010 (Budget Hearings - Community Development, Museums & Cultural Affairs, Zoo, Library, Parks & Recreation, Convention & Performing Arts) and the Special City Council Meeting of July 22, 2010 (Budget Hearings – City Attorney, Mayor and Council, City Manager, OMB/Non – Departmental, Human Resources, Information Technology, Financial Services, and General Services) [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**3. RESOLUTIONS:**

3A. That the City Manager be authorized to sign the Second Amendment to the Airline Operating Agreement and Terminal Building Lease by and between the City of El Paso and Southwest Airlines Co. for the purpose of extending the term to August 31, 2011 and replacing Exhibits “A”, “B-1”, and “B-2”. **(All Districts)**
[Airport, Monica Lombrana, (915) 780-4724]

3B. That all private requests for street light installation shall be made pursuant to the procedures established in this Resolution, and all accompanying Exhibits. That the cost of any street light and its installation as approved under this Resolution shall be subject to payment by the applicant(s) of the request. Subject to availability, discretionary funds by the City Representative in whose district the street light is requested may be used or such other appropriate funding to fund all or a portion of the cost of the street light and its installation. **(All Districts)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
POSTPONED FROM 07-20-10

3C. That the City Council authorize the expenditure of funds in the amount of \$62,250 for emergency roof repairs to the Dorris Van Doren Library Meeting Room awarded July 15, 2010 to HRT Roofing in accordance with the provisions of Section 252.022 of the Texas Local Government Code **(District 1)**
[Engineering, R. Alan Shubert, (915) 541-4423]

4. BOARD RE-APPOINTMENTS:

4A. Micheal C. Wendt to the El Paso County 911 District Board of Managers by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

4B. Kay A. Mooy to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Steve Ortega, District 7.
[Representative Steve Ortega, (915) 541-4108]

4C. Martha Cooper to the Revolving Loan Fund Board by Mayor John F. Cook.
[Mayor John F. Cook, (915) 541-4145]

4D. Richard De Santos to the Revolving Loan Fund Board by Mayor John F. Cook.
[Mayor John F. Cook, (915) 541-4145]

4E. Fernando R. Grado to the Revolving Loan Fund Board by Mayor John F. Cook.
[Mayor John F. Cook, (915) 541-4145]

4F. Xavier J. Saenz to the Revolving Loan Fund Board by Mayor John F. Cook.
[Mayor John F. Cook, (915) 541-4145]

5. BOARD APPOINTMENTS:

5A. Roxanne M. Flores to the Animal Welfare Advisory Committee by Representative Carl Robinson, District 4. [Representative Carl Robinson, (915) 541-4400]

5B. Ernesto Villanueva Jr. to the Historic Landmark Commission, to fill an unexpired term, by Representative Steve Ortega, District 7.
[Representative Steve Ortega, (915) 541-4108]

6. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

6A. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Time Manufacturing Company, a contractor under Texas Multiple Award Schedule (TXMAS) Contract No. 6-23V020 (Vehicular Multiple Award Schedule), for four Versalift Aerial Lift Trucks.

The participation by the City of El Paso in the Texas Procurement and Support Services (TPASS) State Contracts Program was approved by Mayor and City Council on February 27, 2007.

Department: General Services – Fleet Division
 Funding Source: Vehicle Replacement Program – Buses and Large Trucks
 Estimated Amount: \$83,859.30 each
 Total Estimated Amount: \$335,437.20 (4 vehicles)
 Reference No.: 2010-263
Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [General Services, Stuart Ed, (915) 621-6822]

6B. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City’s option to extend current Contract 2007-211 (Auto Brake Shoes, Pads & Hardware) with Main Auto Parts for two additional years pursuant to the provisions of an award approved by the City Council on August 21, 2007. The extended contract period will be from August 21, 2010 to August 20, 2012.

Department: General Services – Fleet Division
 Option: One [of One]
 Annual Estimated Amount: \$50,000
 Funding Source: Fleet Services Internal Service Fund
 Total Estimated Amount: \$100,000 (2 years)
Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [General Services, Stuart Ed, (915) 621-6822]

- 6C.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue Purchase Orders to Kustom Signals, Inc., under the Texas Procurement and Support Services (TPASS) State of Texas Contract No. 680-A1 to purchase 41 Motorcycle Digital Video Systems for the El Paso Police Department for a total estimated amount of \$167,458.76.

The participation by the City of El Paso in the TPASS Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

Department: Police
 Funding Source: Confiscated Funds
 Total Estimated Amount: \$167,458.76
 Reference No.: 2010-262
Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [Police, Eric Shelton, (915) 564-7301]

- 6D.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Moore Medical, LLC under Texas Association of School Boards (TASB) Cooperative Purchasing Contract 294-08 (First Aid Supplies and Equipment) for the purchase of medical supplies and pharmaceutical drugs. Total estimated expenditures are \$111,655.71.

The participation by the City of El Paso in the Texas Association of School Boards (TASB), Cooperative Purchasing Program was approved by Mayor and City Council on August 21, 2007.

Department: Fire
 Funding Source: General Funds – Clinical/Medical Supplies
 Total Estimated Amount: \$111,655.71
 Reference No.: 2010-265
Districts: All
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
 [Fire Department, Manuel Chavira, (915) 771-1002]

7. BEST VALUE PROCUREMENT:

The award of Solicitation No. 2010-182 (Pest Control Services) to Continental Termite & Pest Control, Inc. for a total estimated award of \$118,800.

Department: General Services – Facilities Division
 Award to: Continental Termite & Pest Control, Inc.
 El Paso, TX
 Items: All
 Option: 1 Year
 Annual Estimated Amount: \$39,600
 Funding Source: Government Operations – Pest Control Contracts
 Total Estimated Award: \$118,800 (3 years)
Districts: All

This is a thirty-six month requirements type contract.

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 – Facilities Division recommend award as indicated to Continental Termite & Pest Control, Inc., the vendor offering the best value bid.

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[General Services, Stuart Ed, (915) 621-6822]

8. BIDS:

8A. The award of Solicitation No. 2010-224 (Vocational Truck (Rolloff Truck) to RJ Border Management LLC dba Border International Trucks for a total award of \$117,161.

Department:	General Services – Fleet Division
Award to:	RJ Border Management LLC dba Border International Trucks El Paso, TX
Items:	All
Funding Source:	Environmental Services Department, Capital Budget
Total Award:	\$117,161
Districts:	All

This is a fixed-price, single (one-time) purchase.

The Departments of Financial Services, Purchasing Division, and General Services-Fleet Division recommend award as indicated to the lowest responsive, responsible bidder.

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[General Services, Stuart Ed, (915) 621-6822]

8B. The award of Solicitation No. 2010-215 for the Paseos del Sol Park Development Phase 1 to HRT Roofing & Construction, Inc. for a total estimated amount of \$252,946.96.

Department:	Engineering
Award to:	HRT Roofing & Construction, Inc.
Base Bid:	\$ 182,253.96
Option #1:	1,983.00
Option #2:	36,210.00
Option #3:	<u>32,500.00</u>
Sum Total Base Bid & Options 1, 2, & 3:	\$ 252,946.96
Funding Source:	\$ 242,898.00 - Parkland Dedication funds \$ 10,048.96 - 2008 Reprogramming
District:	6

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 and Parks Departments recommend award as indicated to the lowest responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

- 8C.** The award of Solicitation No. 2010-231 for the Harris Street & Drainage Improvements to G Contek, LLC for a total estimated amount of \$309,610.

Department: Engineering
Award to: G Contek, LLC
Base Bid: \$309,610
Total Estimated Award: \$309,610
Funding Source: Federal Transit Administration, Grant No. TX 90-X650 & Grant No. TX 90-X573

District: 7

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As 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. [Engineering, R. Alan Shubert, (915) 541-4423]

- 8D.** The award of Solicitation No. 2010-216 for the Bus Shelter Installation Phase II, to Mimbela Contractors, Inc. for a total estimated amount of \$81,100.

Department: Engineering
Award to: Mimbela Contractors, Inc.

Base Bid: \$81,100
 Total Estimated Award: \$81,100
 Funding Source: 2009 Certificates of Obligation
Districts: All

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.
 [Engineering, R. Alan Shubert, (915) 541-4423]

- 8E. The award of solicitation No. 2010-190R (Downtown Food Cart Vending) to Big Boy Ice Cream, for a total of \$110,323, a total 5-year concession fee.

Department: Engineering
 Award to: Big Boy Ice Cream
 El Paso, TX
 Item: All
 Total Estimated Amount: \$110,323, a total 5-year concession fee
 Funding Source: N/A
District: 8

The Engineering and Health Departments, based on evaluation factors established for this procurement, recommend award to the sole proposer as indicated. Approval of this award is subject to the City subsequently approving an ordinance for five (5) year special privilege license, giving the City the option to extend the term of the special privilege license at the same annual license fees for an additional five one year terms.
 [Engineering, R. Alan Shubert, (915) 541-4423]

REGULAR AGENDA - INTRODUCTIONS

9. 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.**

- 9A. An Ordinance vacating a portion of Crosby Street (70' Right-of-Way), fronting Lot 11, Block 48, Lot 10 and Lot 11, Block 49, Lot 1 and Lot 20, Block 53, Lot 20,

Block 54, Alexander Addition, an Addition to the City of El Paso, El Paso County, Texas. (SUB10-00067) **(District 8)**
 [Development Services/Planning, Raul Garcia, (915) 541-4935]

- 9B. An Ordinance vacating a portion of Randolph Drive, Alexander Addition, an addition to the City of El Paso, El Paso County, Texas. Applicant: University of Texas at El Paso. SUB08-00161 **(District 8)**
 [Development Services/Planning, Raul Garcia, (915) 541-4935]

PUBLIC HEARING WILL BE HELD ON AUGUST 3, 2010, FOR ITEMS 9A – 9B

- 9C. An Ordinance amending Title 7 (Animals), Chapters 7.04 (Definitions), 7.12 (Dogs and Cats), 7.16 (Impoundment), and 7.24 (Livestock); and to create Chapter 7.14 (Animal Sales, Breeding and Shows); to define terms; to clarify fees and revise regulations applying to spayed, neutered, unspayed and unneutered dogs and cats; to revise permitting procedures; to provide for the services of animal welfare organizations; to prohibit the sale of most dogs and cats, and the sale and transfer of all dogs and cats younger than eight weeks of age; to require that a litter permit number be displayed in any advertisement to sell or transfer puppies and kittens; to require animals released by the city and animal welfare organizations be spayed or neutered; and to provide for an annual report of euthanized animals in the city; the penalty being as provided in Section 7.04.080 of the El Paso City Code. **(All Districts)**
 [City Attorney's Office, Elaine Hengen. (915) 541-4550]

PUBLIC HEARING WILL BE HELD ON AUGUST 10, 2010, FOR ITEM 9C

- 9D. An Ordinance granting Special Permit No. ZON10-00038, to allow for a Parking Reduction on the property described as south 1/2 of Lot 1, Block 4, Beaumont Addition, City of El Paso, El Paso County, Texas, Pursuant to Section 20.64.175 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5700 Dyer Street. Property Owner: Lee Sang Woo. ZON10-00038 **(District 2)**
 [Development Services/Planning, Andrew Salloum, (915) 541-4027]
- 9E. An Ordinance granting Special Permit No. ZON10-00035, to allow for infill development and a 100% parking reduction on the property described as the south half of Lots 1 and 2 and all of Lots 3-6, Block 8, East El Paso 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 being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3607 Rivera Avenue. Property Owners: Project Vida Community Development Corporation. ZON10-00035 **(District 3)**
 [Development Services/Planning, Andrew Salloum, (915) 541-4027]

PUBLIC HEARING WILL BE HELD ON AUGUST 17, 2010, FOR ITEMS 9D – 9E

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 Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

10. ENGINEERING

Discussion and action on award of Solicitation No. 2010-210 for Bus Stop Enhancements to Mimbela Contractors, Inc., for a total estimated amount of \$780,730.45.

Department:	Engineering
Award to:	Mimbela Contractors, Inc.
Base Bid:	\$780,730.45
Total Estimated Award:	\$780,730.45
Funding Source:	2009 Certificates of Obligation and American Recovery and Reinvestment Act
Districts:	All

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.

[Engineering, R. Alan Shubert, (915) 541-4423]

REGULAR AGENDA – PUBLIC HEARINGS

11. DEVELOPMENT SERVICES:

An Ordinance amending Title 15 (Public Services) Chapter 15.08 (Street Rentals) Section 15.08.120 (Special Privilege Licenses), Subsection G, (Exceptions), of the El Paso City Code to add an exception for certain signs on the city’s parkway. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.

(All Districts) [Development Services, Linda Castle, (915) 541-4029]

12. ENGINEERING:

12A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.041 (Schedule IVA - Parking Prohibited during certain hours- School Days Only) of the El Paso City Code by adding the area of No Parking on Missy Yvette Drive to include both sides from Pellicano Drive to

Ben Proctor Drive. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 6)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

- 12B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.40 (Size, Weight and Class Restrictions), Section 12.40.020 (Transportation Committee - established authority to revise and establish truck routes) by eliminating the Transportation Committee and requiring the Traffic Engineer to establish and revise truck routes subject to approval by City Council. The penalty being as provided in Chapter 12.84 (Violations - Penalty) of the El Paso City Code.
(All Districts) [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 12C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 Schedule I (One Way Streets) of the El Paso City Code, by deleting Number 22, San Antonio Avenue from El Paso Street to Florence Street; deleting Number 75, Merchant Avenue between Hawkins Boulevard and Tony Lama Street; Adding Sheldon Court between Oregon Street and El Paso Street, westbound; and Amending Number 24, the alley between Oregon Street and El Paso Street from San Antonio Avenue to Sheldon Court from northbound to southbound. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(Districts 3 & 8)**
 [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 12D.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso City Code by adding Lee Boulevard to Subsection F, thirty five miles per hour. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 5)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 12E.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.020 (Where no signs required) of the El Paso City Code by adding "Designated bike lanes, unless official signs allow such parking during specific times". The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.
(All Districts) [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

REGULAR AGENDA – OTHER BUSINESS

13. MAYOR AND COUNCIL:

13A. Discussion and action on placing a Historic overlay on Houston Elementary located at 2851 Grant Avenue.
 [Representative Susie Byrd, (915) 541-4416]

13B. Legislative Review Committee Report:

- 1. For Notation: Formal Report of the Planning and Development Legislative Review Committee meeting held on July 14, 2010, as submitted by Ann Morgan Lilly, Chair; and,

2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a. Discussion and action on an Ordinance amending Title 9 (Health & Safety), Chapter 9.52 (Fire Prevention Code), Section 9.52.010 (Adopted), 105.6.34 (Waste Handling), by adding Subsections 105.6.34.1-105.6.34.3 permit requirements for recycling facilities, wrecking yards and junk yards; the penalty as provided in the El Paso City Code Subsections 9.52.030.105.1.1 (Permits Required) and 9.52.030.109.3 (Violation Penalties).
 - b. Discussion and action on an Ordinance amending Title 18 (Building & Construction), Chapter 18.44 (Grading), by replacing all of Chapter 18.44 in its entirety.
 - c. Discussion and action on use of the H + T Affordability Index as a local tool to benchmark costs of housing and transportation to move towards decisions that create more sustainable and equitable growth
[City Manager-Development & Infrastructure, Patricia D. Adauto, (915) 541-4853]

13C. DEVELOPMENT AND INFRASTRUCTURE:

1. Discussion and action to direct that the City Manager initiate a code change to Title 9 (Health & Safety) of the City Code as recommended by the Planning & Development Legislative Review Committee, as follows:
 - a. Discussion and action on an Ordinance amending Title 9 (Health & Safety), Chapter 9.52 (Fire Prevention Code), Section 9.52.010 (Adopted), 105.6.34 (Waste Handling), by adding Subsections 105.6.34.1-105.6.34.3 permit requirements for recycling facilities, wrecking yards and junk yards; the penalty as provided in the El Paso City Code Subsections 9.52.030.105.1.1 (Permits Required) and 9.52.030.109.3 (Violation Penalties).
[Fire Department, Otto Drozd, (915) 771-1000]
2. Discussion and action to direct that the City Manager initiate the use of the H + T Affordability Index as a local tool to benchmark costs of housing and transportation, and specifically to adopt a policy that redefines “affordability” for all funding and policy decisions of the City as being no more than thirty percent that is dedicated to housing costs and twenty percent to transportation costs of household income, as recommended by the Planning & Development Legislative Review Committee.
[Representative Susie Byrd, (915) 541-4416]
[Development Services/Planning, Mathew McElroy, (915) 541-4193]
3. Discussion and action on the El Paso City Code requirements for large recycling facilities, including provisions for air quality monitoring, handling and processing of by-products, outside storage and containment areas, screening, vibration, and permitting, and providing for policy direction for Code revision as may be necessary, as requested by the Planning & Development Legislative Review Committee.
[City Manager-Development & Infrastructure, Patricia D. Adauto, (915) 541-4853]
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
[Fire Department, Otto Drozd, (915) 771-1000]

14. ENGINEERING:

Discussion and action on a Resolution authorizing the Mayor and the City Manager to sign the State Infrastructure Bank (SIB) loan agreement between the City and the Texas Department of Transportation and authorizing the incurrence of the \$6,356,000 obligation associated with the loan. The resolution also articulates City Council representations and covenants as required by the agreement. The representations are that the City will comply with Section 148 of the Internal Revenue Code of 1986 relating to arbitrage and that the resolution was acted upon at a regular council meeting held in compliance with the Open Meetings Act. The City Council covenants involve compliance with the Internal Revenue Code and provision of financial, traffic and revenue reports relating to the project to TXDOT. **(District 8)**

[Engineering, R. Alan Shubert, (915) 541-4423]
 [International Bridges, Said Larbi-Cherif, (915) 858-3842]

15. CITY MANAGER:

City Manager's report of current events and issues:

15A. To present the 3rd Quarter Financial Report for Fiscal Year 2010. **(All Districts)**
 [Financial and Administrative Services, William Studer, (915) 541-4215]

15B. An update regarding the issuance of the 2010 preliminary Flood Insurance Rate Maps by the Federal Emergency Management Agency (FEMA) and related efforts underway for the Community Rating System. **(All Districts)**
 [Engineering, R. Alan Shubert, (915) 541-4423]

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 |

Discussion and action on the following:

EX1. Stacy Chenoweth vs. City of El Paso, Cause No. 2009-1112 (551.071)
 [City Attorney's Office, Laura P. Gordon, (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 THURSDAY AT THE ADDRESS BELOW:

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