

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR SPECIAL CITY COUNCIL MEETING

July 31, 2006
10th Floor Conference Room, City Hall
4:00 p.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, August 1, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

AGENDA FOR REGULAR CITY COUNCIL MEETING

August 1, 2006
Council Chambers, City Hall
9:00 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.

9:00 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 Chaplain Carlos Flores
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. NATIONAL NIGHT OUT DAY**
- 2. NEWARK HOSPITAL CELEBRATION 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/city_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 Regular City Council Meeting of July 25, 2006, and Special City Council Meeting of July 24, 2006 (Agenda Review). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Mayor John F. Cook
Mayor Pro Tempore Presi Ortega, Jr.
Representative Beto O'Rourke

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a Contract between the City of El Paso and Leila H. Melendez to employ Leila H. Melendez as a Business Retention and Expansion Coordinator at a biweekly rate of \$2,038.46, for 40 hours per week. The total amount of the contract shall not exceed \$53,000 plus benefits. The term of the contract shall be for the period of August 1, 2006, through July 31, 2007. Fund Source: 72010258-01101-501011. **(All Districts)**
[Economic Development, Luci Ponticelli, (915) 541-4679]

3B. That the City Manager be authorized to sign a Contract between the City of El Paso and Javier Gadney to employ Javier Gadney as a Business Services Coordinator at a biweekly rate of \$2,307.69 for 40 hours per week. The total

amount of the contract shall not exceed \$60,000.00 plus benefits. The term of the contract shall be for the period of August 1, 2006, through July 31, 2007. Fund Source: 72010258-01101-501011. **(All Districts)**
[Economic Development, Luci Ponticelli, (915) 541-4679]

3C. That the City Manager be authorized to sign a Contract between the City of El Paso and Armando R. Renteria to employ Armando R. Renteria as an Information Services Manager at a biweekly rate of \$3,588.30 for 40 hours per week. The total amount of the contract shall not exceed \$93,295.88 plus benefits. The term of the contract shall be for the period of July 20, 2006, through July 19, 2007. Fund Source: 702-730 **(All Districts)**
[El Paso Water Utilities, Fred Loweree, (915) 594-5501]

3D. That the City Manager be authorized to sign a Second Amendment to Agreement for Consultant Services by and between the City of El Paso and Encon International, Inc., to extend the Agreement for an additional period of one (1) year for environmental engineering services. **(All Districts)**
[Engineering Department, Rick Conner, (915) 541-4423]

3E. That the City Manager be authorized to sign a Contract between the City of El Paso and Ricardo Dominguez, Jr. to employ Ricardo Dominguez, Jr. as an Assistant Director to Metropolitan Planning Organization at a biweekly rate of \$3,230.77 for 40 hours per week. The total amount of the contract shall not exceed \$84,000.00 plus benefits. The term of the contract shall be for the period of August 7, 2006, through August 6, 2007. Fund Source: 68150009-501011-68000-G780603-05028. **(All Districts)**
[Metropolitan Planning Organization, Roy Gilyard, (915) 591-9735]

3F. That the Mayor be authorized to sign a Memorandum of Agreement between the City of El Paso and the Ysleta Independent School District (YISD) for the furnishing of twenty (20) police officers for the School Resources Officer Program to be conducted within the YISD during the school year 2006-2007 with an option to extend through summer school 2007; payment will be received from YISD in an amount which represents 50% of the annual salary and primary benefits of sixteen (16) police officers based on the number of days in which officers actually work and provide services to YISD as set forth in the agreement. Four (4) officers will be paid through the Cops in Schools Grant #2004SHWX0054 up to the remaining funding; thereafter the YISD will provide funding as stated above. **(All Districts)** [Police Department, Paul Cross, (915) 564-7310]

4. BOARD RE-APPOINTMENTS:

4A. Shirley Phillips to the Retired Senior Volunteer Program (RSVP) by Representative Jose Alexandro Lozano, District 3.
[Representative Jose Alexandro Lozano, (915) 541-4515]

4B. Richard D. Pineda, PhD, to the Ethics Review Commission by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

5. BOARD APPOINTMENTS:

Evelina Ortega to the Committee for Border Relations by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

6. **APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]
That the tax refunds listed on the attachment posted with this agenda be approved.
(See attachment A)

7. **FINANCIAL SERVICES:**

Solicitation No. 2006-126	Street Construction Material
Award to:	Jobe Materials, L.P. El Paso, Texas
Item(s):	Group III, Landscape Rock, #1 to #20
Amount:	\$74,465.00 (estimated annually)
Department:	Street
Funds available:	32010200-503203-01101
Funding source:	Public Access Maintenance and Repairs
Total award:	\$223,395.00 (estimated three year total)
District (s):	All

Street Department and Financial Services-Purchasing Division request that City Council approve this motion in order to award Group III, Landscape Rock to Jobe Materials, L.P. which was incorrectly posted, on the July 5, 2006 City Council agenda, as Group II, Landscape Rock. [Financial Services, Jesus M. Juarez, (915) 541-4317]

8. **BIDS:**

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

Discussion and action on the award of PASGT Ballistic Helmet w/Face Shield & Riot Protection Face Shield (Solicitation No. 2006-140) to RBR Tactical Armor, Inc. for an estimated total award of \$146,407.50.

Solicitation No. 2006-140	PASGT Ballistic Helmet w/ Face Shield & Riot Protection Face Shield
Item(s):	#1 and #2
Amount:	\$48,802.50 (estimated annually)
Department:	Police
Funds available:	21150060-508007-16411-P500232
Funding source:	Confiscated Funds
Total award:	\$146,407.50 (estimated for three years)
District (s):	All

Police Department and Financial Services-Purchasing Division recommend award as indicated to the lowest responsive, responsible bidder.

It is requested that the City Manager of the City of El Paso be authorized to execute a contract and any other necessary documents relating to this solicitation which are necessary to carry out the intent of this award.

Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within two (2) years from the date of the award.

This is a requirements type contract with an initial term of thirty-six (36) months.
[Financial Services, Jesus M. Juarez, (915) 541-4317]

REGULAR AGENDA

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 granting a Special Privilege authorizing the temporary closure of San Francisco Avenue (Trolley Lane) between El Paso Street and Santa Fe Street for a City-sponsored Rockabilly Roundup and Classic Car Show Event on August 17, 2006. (SP-06008). **(District 8)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection "H" (Forty-Five miles Per Hour) of The El Paso City Code to amend speed limit on Redd Road from Doniphan Drive to Resler Drive. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(District 1)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 9C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection "C" (Twenty Miles Per Hour), Subparagraph 12 of the El Paso City Code to amend to read Sue Hall Avenue. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(Districts 1 & 8)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 9D.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection "F" (Thirty-five Miles Per Hour) of the El Paso City Code to delete Mesa Hills Drive from Mesa Street to Sunland Park Drive and delete Redd Road from IH-10 northbound frontage road to Southwestern Drive and to amend the speed limit on Mesa Hills from Kingsfield Avenue to Sunland Park Drive. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(Districts 1 & 8)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

PUBLIC HEARING WILL BE HELD ON AUGUST 15, 2006, FOR ITEMS 10A – 10D

- 9E.** An Ordinance changing the zoning of Tracts 2B And 2B2, Section 46, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Zaragosa Road, North of Montwood Drive. Applicant: Chita, L. P. ZON06-00072. **(East ETJ)**.
[Development Services/Planning, Christina Valles, (915) 541-4930]

- 9F.** An Ordinance changing the zoning of the West Portion of Tract 9, Fruitvale Subdivision, El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-3A (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8468 Roseway Drive. Applicant: Esaul and Rosalinda Campos. ZON06-00062 **(District 7)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9G.** An Ordinance granting Special Permit No. ZON06-00064, to allow infill development on the West 100 feet of the South 85 feet of Tract 14, Sunrise Acres #3, El Paso, El Paso County, Texas. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: 4021 Olympic. Applicant: Armando Loya & Alicia Loya. ZON06-00064 **(District 4)**
[Development Services/Planning, Christina Valles, (915) 541-4930]
- 9H.** An Ordinance changing the zoning of a portion of Lots 11 and 12, Lafayette Place, El Paso, El Paso County, Texas, from C-1 (Commercial) to C-2 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8050 and 8052 North Loop Drive. Applicant: Arturo Martinez, Bertha Martinez, Alicia Martinez. ZON06-00029 **(District 6)**
[Development Services/Planning, Christina Valles, (915) 541-4930]
- 9I.** An Ordinance granting Special Permit No. ZON06-00040 to allow for a dance hall on the property described as a portion of Lots 11 and 12, Lafayette Place, El Paso County, Texas, pursuant to Section 20.38.040 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: 8050 and 8052 North Loop Drive. Applicant: Arturo Martinez, Bertha Martinez, Alicia Martinez. ZON06-00040 **(District 6)**
[Development Services/Planning, Christina Valles, (915) 541-4930]

PUBLIC HEARING WILL BE HELD ON AUGUST 22, 2006, FOR ITEMS 10E – 10I

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. 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, 8AM to 5PM.

10. DEVELOPMENT SERVICES:

That the City Manager be authorized to sign and accept a Dedication Deed from JNC Land, LP, conveying to the City of El Paso a 6.35 acre parcel of land, more or less, for parkland purposes, in satisfaction of the community parkland requirements imposed by Ordinance Number 014264, described as a portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, (the "Property") and more particularly described by metes and bounds attached to the Dedication Deed. Further, that the City Manager be authorized to sign a Developer Participation Agreement between JNC Development, LP and the City of El Paso, pursuant to Texas Local Government Code, Chapter 212, Subchapter C, Section 212.071, and Chapter 19.12 of the City Code for the construction of certain parkland improvements to the Property. **(District 5)** [Development Services-Planning, Rudy Valdez, 541-4635]

11. ENGINEERING:

Discussion and action on the award of Reconstruction of Runway 8R-26L & Taxiway E (Solicitation No. 2006-165) to C.F. Jordan, L.P., El Paso, Texas for an estimated total amount of \$16,259,521.00. This amount represents Base Bids 1 & 2; we are not at this time recommending Alternate Bid numbers 1 and 2. The Engineering and Airport Departments recommend approval.

Solicitation No: 2006-165	Reconstruction of Runway 8R-26L & Taxiway E
Award to:	C.F. Jordan, LP
	El Paso, Texas
Items: Base Bid I	\$14,045,671.00
Base Bid II	\$ 2,213,850.00
Total Award:	\$16,259,521.00

Department:	Airport
Funds Available:	62620031-G620AIP0023-11512-508027
Funding Source:	FAA Airport Improvement Program

Estimated Completion Date: Late Summer 2007

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

It is requested that the City Manager of the City of El Paso be authorized to execute a contract and any other necessary documents relating to this Solicitation, which are necessary to carry out the intent of this award.

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

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid project, not a best value contract.

District(s): 2
[Engineering Department, Rick Conner, (915) 541-4423]

12. PUBLIC HEARINGS – AIRPORT:

An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.16 (Airport use regulations) of the El Paso City Code to amend the insurance requirements of taxi cabs operating at the airport. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

13. PUBLIC HEARINGS – DEVELOPMENT SERVICES:

- 13A.** An Ordinance changing the zoning of a portion of Tract 1D, Block 79, Section 4, Township 3, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, from C-3/SC (Commercial/Special Contract) to R-5/SC (Residential/Special Contract) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Joe Battle Boulevard at Zaragoza Road. Applicant: Housing Authority of the City of El Paso. ZON06-00035 **(District 5)** [Development Services/Planning, Christina Valles, (915) 541-4930]
- 13B.** An Ordinance changing the zoning of a portion of Tract 5, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County Texas, from C-4 (Commercial) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Dyer Street near Mohair. Applicant: Borsberry Family LTD Partnership. ZON06-00041 **(District 4)** [Development Services/Planning, Christina Valles, (915) 541-4930]
- 13C.** An Ordinance granting Special Permit No. ZON06-00060 to allow for a Planned Residential Development with private streets on Tracts 12B, 12C, and 12D, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Ada Lane, West of Valley Road. Applicant: Enrique Escobar and Sal Masoud. ZON06-00060 **(District 1)** [Development Services/Planning, Melissa Granado (915) 541-4730]
- 13D.** An Ordinance changing the zoning of Parcel 1: a portion of Tract 2, Section 34, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-5 (Residential); and Parcel 2: a portion of Tract 2, Section 34, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-4 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject property: Rich Beem Boulevard, South of Tierra Rancho. Applicant: Ranchos Real IV, LTD. ZON06-00057 **(East ETJ)** [Development Services/Planning, Melissa Granado, (915) 541-4730]
- 13E.** An Ordinance granting Special Permit No. ZON06-00050, to allow for a parking reduction on the property described as Lot 3 and the North 15 feet of Lot 2, Block 35, Magoffin Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Applicant: Esteban Ayala. ZON06-00050 **(District 8)** [Development Services/Planning, Melissa Granado, (915) 541-4730]
- 13F.** An Ordinance changing the zoning of Parcel 1: a portion of Section 21, Block 81, Township 1, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, from C-1/C (Commercial/Conditions) to A-2 (Apartment), and releasing all conditions stated in Ordinance Number 16088; and Parcel 2: a portion of Section 21, Block 81, Township 1, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, from A-2 (Apartment) to C-1/C (Commercial/Conditions), and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Sean

Haggerty and Patriot Freeway. Applicant: EPT Land Assets, L.P. ZON06-00048 **(District 4)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

13G. An Ordinance changing the zoning of a portion of Block 14, Highland Park Addition (Third Amended Map), El Paso, El Paso County, Texas, from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1810 Murchison Drive. Applicant: National Center for Employment of the Disabled. ZON06-00056 **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

13H. An Ordinance changing the zoning of Tract 50, Nellie D. Mundy Survey No. 241, El Paso, El Paso County, Texas, from R-3 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Artcraft Road, West of Santiago Street. Applicant: Enrique Escobar. ZON06-00039 **(District 1)**
[Development Services/Planning, Melissa Granado, (915) 541-4730]
POSTPONED FROM 07-11-06

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

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 CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

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

POSTED THIS THE ___ DAY OF _____, 2006, AT _____ A.M. BY _____