

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
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REVISED
AGENDA FOR REGULAR COUNCIL MEETING

August 7, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
August 6, 2012
9:00 a.m.

NOTICE: 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.

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION by CIMA Chaplain Carlos Clugy-Soto

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. PURPLE HEART DAY
2. DAVID L. CARRASCO JOB CORPS WEEK
3. RETT SYNDROME AWARENESS DAY HONORING JULIANA BROOKS
4. VIVA EL PASO 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.

NOTICE:

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.

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 31, 2012 and the Special City Council Meeting of July 23, 2012 and the Special City Council Meeting of July 25, 2012 (Budget Hearings for Police, Environmental Services, Library, Parks and Recreation and Non-Departmental), and the Special City Council Meeting of July 26, 2012, (Budget Hearings for City Attorney, Human Resources, Financial Services, Tax, Mayor and Council and OMB/City Manager)
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTION:

3A. That the Mayor is hereby authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the El Paso Independent School District (the "District"), to enhance the quantity and quality of recreational and athletic facility uses available to the residents of the City, at no cost to the City with the exception of City activities outside of EPISD normal facility operations. **(All Districts)**
[Parks and Recreation, Liza Ramirez-Tobias, (915) 541-4599]

3B. That the Mayor is hereby authorized to sign, on behalf of the City of El Paso, an Interlocal Agreement between the City of El Paso (the "City") and the Ysleta Independent School District (the "District"), to enhance the quantity and quality of recreational and athletic facility uses available to the residents of the City, at no cost to the City with the exception of City activities outside of YISD normal facility operations. **(All Districts)**
[Parks and Recreation, Liza Ramirez-Tobias, (915) 541-4599]

4. BOARD APPOINTMENTS:

- 4A.** Joanne Burt to the Tax Increment Reinvestment Zone Number 6 Board of Directors by Representative Ann Morgan Lilly, District 1.
[Representative Ann Morgan Lilly, (915) 541-4886]
- 4B.** Holt Grambling to the Tax Increment Reinvestment Zone Number 6 Board of Directors by Representative Cortney Carlisle Niland, District 8.
[Representative Cortney Carlisle Niland, (915) 541-4268]
- 4C.** Pifas Silva to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Susie Byrd. District 2. [Representative Susie Byrd, (915) 541-4416]

REGULAR AGENDA - INTRODUCTIONS

5. 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.**

- 5A.** An Ordinance ordering a Bond Election to be held in the City of El Paso, Texas, on November 6, 2012 making provisions for the conduct of the Election and resolving other matters incident and related to such election. **(All Districts)**
[City Manager, William Studer, (915) 541-4252]
- 5B.** An Ordinance ordering a special election to be held in the City of El Paso, Texas on November 6, 2012 for a venue project and imposing hotel occupancy tax, making provisions for the conduct of the election, and resolving other matters incident and related to such election. **(All Districts)**
[City Attorney, Bertha Ontiveros, (915) 541-4550]

PUBLIC HEARING WILL BE HELD ON AUGUST 14, 2012, FOR ITEMS 5A – 5B

- 5C.** An Ordinance amending the Final Project Plan and Final Reinvestment Zone Financing Plan for Tax Increment Reinvestment Zone Number Five, City of El Paso, Texas; adopting said amendments as required by section 311.011(E) Texas Tax Code; also providing a severability clause. **(District 8)**
[City Development, Mathew McElroy, (915) 541-4193]
- 5D.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions) and Chapter 20.18 (Sign Regulations), Section 20.18.020 (Applicability) and Section 20.18.050 (Definitions) of the El Paso City Code, to add a definition for wayfinding sign and to exclude wayfinding signs from the provisions of Chapter 20.18. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)** [City Development, Linda Castle, (915) 541-4029]
- 5E.** An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), of the El Paso City Code to add a City wayfinding program. The penalty is as provided in Section 15.08.125 of the El Paso City Code **(All Districts)** [City Development, Mathew S. McElroy, (915) 541-4056]

PUBLIC HEARING WILL BE HELD ON AUGUST 21, 2012, FOR ITEMS 5C – 5E

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, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

6. CITY DEVELOPMENT

An Ordinance amending Title 3 (Revenue and Finance), Chapter 3.04 (Property Taxes), Section 3.04.035 (Exemption-Historically Significant Sites) of the El Paso City Code; to allow the tax exemption to remain with the property for the duration of the exemption regardless of ownership transfer and to lengthen the term of the tax exemption for contributing properties in the downtown historic district to fifteen years. **(District 8)** [City Development, Mathew McElroy, (915) 541-4193]

7. INTERNATIONAL BRIDGES

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.020.F (Installation) to remove the requirements for parking meter fees on Saturdays; and to allow for a debit or credit card processing fee in Section 12.56.090.C; the penalty as provided in Section 12.84.010 of the El Paso City Code. **(Districts 3 and 8)** [International Bridges, Said Larbi-Cherif, (915) 533-7428]

8. EL PASO WATER UTILITIES

An Ordinance authorizing the City Manager to sign a Deed Without Warranty to convey 26.020 acres of city land under the jurisdiction of the El Paso Water Utilities Public Service Board, to the State of Texas, acting by and through its Texas Department of Transportation (TxDOT) for the Spur 276 Project, Loop 375 Expansion of Transmountain Road, located north of Borderland to Talbot at IH-10, authorizing the City Manager to sign any and all necessary documentation to complete the conveyance. **(District 1)** [El Paso Water Utilities, Marcela Navarrete (915) 594-5614]

REGULAR AGENDA – OTHER BUSINESS

9. CITY MANAGER:

9A. Discussion and action on the City Manager's short and long term execution plan for the relocation of City operations from the City Hall site to other locations in the downtown area as authorized by resolution adopted on June 26, 2012, to include the following:

a) Discussion and action on a presentation from TVO regarding the City's options for City Hall relocation in the downtown area.

b) Discussion and action on a presentation from City staff to outline the various strategies with regards to procurement and contracts related to the relocation, the pending actions anticipated within the next 30-90 days and the estimated timeline for activities related to the relocation.

c) Discussion and action on Resolution to authorize the City Manager to negotiate and execute, on behalf of the City of El Paso, a Contract of Sale with Luther Acquisition LP for the purchase Lots 11-14, Block 230 Campbell Addition, El Paso County Texas, municipally known as 218 N. Campbell in the amount not to exceed \$17,431,000, provided that the Closing will occur after the Seller has completed the renovation, remodeling and adaptation to bring the property to compliance with building codes and modern building standards for the City's use for information technology operations, offices and related uses, consistent with the terms and conditions attached to the Resolution, subject to the review and approval of the City Attorney; authorize the City Manager to sign all documents and take all actions necessary to effectuate this transaction; and directing the City Manager to initiate the process to add this project to the City's Capital Improvement Program

d) Discussion and action on a Resolution that the City Manager be authorized to negotiate the purchase of the building located at 801/811 Texas in an amount not to exceed \$2,338,000, and to execute any related contract documents and agreements necessary, subject to the City Attorney's Office review and approval, for the acquisition of this building from Harl E. Dixon to be used as the primary location for the City Development Department and other City departments to be determined; further, that the City Manager be authorized to establish this project as a City Capital Project and that this project be funded from Certificates of Obligations to be issued as necessary for this project.

(All Districts) [City Manager's Office, Joyce Wilson, (915) 541-4000]

9B. Discussion and action that the City Manager be authorized to sign and submit the Services Agreement for LBL Technology Partners to produce a project plan for the relocation of the technology located within City Hall and perform project management and oversight of said project plan, in the amount not to exceed \$45,000, for a six month term. **(All Districts)**

[Information Technology, Peter Cooper, (915) 546-2041]

[Financial Services, Bruce D. Collins, (915) 541-4313]

10. MAYOR AND COUNCIL:

10A. Discussion and action to re-establish Standing Council LRC's under the new portfolio arrangement as follows: Finance and Audit; Tourism and Development; Transportation and Infrastructure; and Safety and Community Services. To allow for more deliberate review and discussion and policy and program initiatives prior to convening LRC of the Whole. This would not preclude scheduling LRC of the Whole for major topics demanding full Council participation at outset.

(All Districts) [Representative Ann Morgan Lilly, (915) 541-4151]

Postponed from 07-31-12

10B. Discussion and action on instituting an audit oversight committee. **(All Districts)**

[Representative Susie Byrd, (915) 541-4416]

- 10C.** Discussion and action concerning a Resolution to support the Mission Trail revitalization project. [Representative Steve Ortega, (915) 541-4124]

- 10D.** Discussion and action regarding a Resolution to support the expansion of the Medicaid Program in the State of Texas. **(Districts 5 and 7)**
[Representative Steve Ortega, (915) 541-4124]
[Representative Michiel R. Noe, (915) 541-4701]

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.** Petition filed by Quality of Life Voters for Democracy on July 31, 2012. (551.071)
[City Attorney, Sylvia Borunda Firth, (915) 541-4550]

- EX2.** 300 N. Campbell, El Paso, Texas, TX. Gov. Code Sections 551.071 and 551.072
[City Attorney, Sylvia Borunda Firth, (915) 541-4550]

- EX3.** 801/811 Texas, El Paso, Texas, Texas Gov. Code Sections 551.071 and 551.072
[City Attorney, Sylvia Borunda Firth, (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/>