

**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

**REGULAR COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS  
AUGUST 3, 2010  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:33 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Susannah M. Byrd, Emma Acosta, Carl Robinson and Eddie Holguin, Jr. Late arrivals: Steve Ortega and Beto O'Rourke at 8:35 a.m., Ann Morgan Lilly at 8:49 a.m. and Rachel Quintana at 8:56 a.m. during Executive Session deliberations. The invocation was given by Police, Fire, & CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

- 1. TEAM ALCHEMY KARATE ACADEMY MONTH**
- 2. NATIONAL NIGHT OUT 2010**
- 3. EL PASO ELECTRIC COMPANY LINEMEN APPRECIATION DAY**

**RECOGNITIONS**

**US ARMY SERGEANTS MAJOR ACADEMY**

**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](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.

The following members of the public commented:

1. Mr. Morgan Benson
2. Mr. Richard Schecter
3. Mr. Jerry Thiedt
4. Ms. Lisa Turner
5. Mr. Roberto M. Lerma
6. Mr. Raul Castaneda
7. Mr. Lynn Fitzgerald
8. Mr. Arthur Ward

Mayor Cook commented and Mr. Charlie McNabb, City Attorney, gave legal advice

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Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:34 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- 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 Executive Session items listed on the Agenda.

NOT PRESENT FOR THE VOTE:   Representatives Lilly, Quintana, Ortega and O'Rourke

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to adjourn the Executive Session at 9:09 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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**EX1.**   Jake Canavan vs. City of El Paso; Cause No. 09-CV-043-KC. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and carried that outside counsel for the City of El Paso be authorized to reject Plaintiff's settlement demand in the lawsuit styled Jake Canavan vs. City of El Paso; Cause No. EP-09-CV-043-KC.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega, and O'Rourke  
NAYS: None  
ABSTAIN:     Representative Quintana

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**EX2.**   Enrique Rodriguez v. City of El Paso, Cause No. 2009-2107. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and carried that outside counsel for the City of El Paso be authorized to reject Plaintiff's settlement demand in the lawsuit styled Enrique Rodriguez vs. City of El Paso; Cause No. 2009-2107.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega, and O'Rourke  
NAYS: None  
ABSTAIN:     Representative Quintana

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**EX3.**   Discussion and action regarding Empowerment Zone Loan RLF-75 to Magnolia 2720, LLC (Willis-Froetschel Building Group LLC). (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and carried that the City of El Paso authorizes the City Attorney to take any and all action to protect the City's interest and position both affirmative and defensive, as necessary, related to collection efforts and debt recovery of Empowerment Zone lo No. RLF-75 against Magnolia 2720, LLC and loan guarantors John Froetschel, Teri Froetschel, and Amy Shoemaker. This motion is intended to grant broad authority to the City Attorney to take any action necessary to address these matters, including but not limited to, the initiation of and response to, litigation, proof of claims, complaints and any other administrative, judicial or non-judicial proceeding or process, in

consultation with the City Manager. This authorization also authorizes the City Attorney to retain outside Counsel in connection with this matter.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Holguin, Ortega, and O'Rourke

NAYS: None

ABSTAIN: Representative Quintana

**CONSENT AGENDA**

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Lilly, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

**1. APPROVAL OF MINUTES**

\*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of July 27, 2010 and the Special City Council Meeting of July 26, 2010 (Budget Hearings for Police and Fire) and the Special City Council Meeting of July 28, 2010 (Budget Hearings – Budget Wrap up).

**2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS**

**NO ACTION** was taken on this item.

**3A.**

**\*RESOLUTION**

WHEREAS, Ysleta Del Sur Pueblo, (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval, to reduce setbacks as required for Parcel 1 under the Special Development/Historic District and for Parcel 2 under the Special Development District as per Section 20.10.360 (C) (4) (c). The detailed site development plan is subject to the development standards for Parcel 1 in the S-D/H (Special Development/Historic) District and for Parcel 2 in the S-D (Special Development) District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and is incorporated herein by reference for all purposes; and,

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, to reduce setbacks as required for Parcel 1 under the Special Development/Historic District and for Parcel 2 under the Special Development District as per Section 20.10.360 (C) (4) (c), on the

following described property where Parcel 1 is located in a S-D/H (Special Development/Historic) District and where Parcel 2 is located in a S-D (Special Development) District:  
Parcel 1: Tract 11, Block 49, Ysleta Grant, and Parcel 2: Tract 12A1, block 49, Ysleta Grant, City of El Paso, El Paso County, Texas.

2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable for Parcel 1 in the S-D/H (Special Development/Historic) District and for Parcel 2 in the S-D (Special Development) District regulations.

4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable for Parcel 1 in the S-D/H (Special Development/Historic) District and for Parcel 2 in the S-D (Special Development) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

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**3B.**

**\*RESOLUTION**

That the City Manager be authorized to sign a Traffic Signal Agreement between the City and Camino Real Properties, Inc., for payment of \$164,687.00 to the City by Camino Real Properties, Inc. for the construction and installation by the City of traffic signals at the intersection of Resler Drive and Desert Pass Drive, El Paso, Texas. Payment by Camino Real Properties, Inc. is for all costs related to of design and construction of the traffic signals.

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**3C.**

**\*RESOLUTION**

That the City Council approves the expenditure of additional available funding in the amount of seventy four thousand three hundred forty three and 60/100 dollars (\$74,343.60) to Medlock Commercial Contractors LLC for additional construction costs of the Armijo Branch Library Computer Lab Addition. Change Order 6 provides for labor, materials and equipment for re-roofing 7,800 SF of the library roof, adding 21 days of contract time [change order number 6] for Contract Number 2009-277. The new contract sum, including change order 6, is seven hundred fifty one thousand nine hundred ninety one and 30/100 dollars (\$751,991.30).

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**3D.**

**\*RESOLUTION**

That the City Manager be authorized to sign Local Air Program grant Amendment #1 to contract No. 582-10-90258 by and between the City of El Paso and the Texas Commission of Environmental Quality ("TCEQ"), in the amount of \$479,214 to extend the contract current period to include September 1, 2010 through August 31, 2011, to conduct compliance investigations on behalf of TCEQ at permitted air sources including, but not limited to, gasoline stations, paint shops, auto body shops and cabinet shops. City matching funds for one third of the amount of the total FY2011 grant are required in the amount of

\$158,140. The City Manager is authorized to approve necessary budget transfers to designate the required matching funds.

Mayor Cook and Representative Ortega commented.

Mr. Albert Melero, Environmental Services - Air Quality Program, commented.

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**3E.**

**\*RESOLUTION**

That the City Manager be authorized to sign, on behalf of the City of El Paso, a Lease Agreement between BLK Investments 2 Family Limited Partnership (“Lessor”), and the City of El Paso (“Lessee”) for fifty-seven (57) parking spaces located at 216 South Ochoa Street in the City of El Paso, El Paso County Texas, and adjacent to the Municipal Court facility in downtown El Paso.

Representative Ortega commented.

Ms. Joyce Wilson, City Manager, and Ms. Lilia Worrell, Assistant Municipal Court Clerk, commented.

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**3F.**

**\*RESOLUTION**

That the Mayor be authorized to sign a First Amendment 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 (“MPO”) for the El Paso Urban Transportation Study Area, hereinafter referred to as "CITY", and The Texas Department of Transportation, amending the term of the original agreement from August 31, 2010 to September 25, 2012.

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**4. DISCRETIONARY FUNDS**

\*Motion made, seconded, and unanimously carried to **APPROVE** the allocation of \$1,200 from District 1 and \$1,200 from District 8 Discretionary Funds to the Parks and Recreation Department towards the purchase of a pool table for the Polly Harris Senior Citizens Center

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**5. APPLICATIONS FOR TAX REFUNDS**

\*Motion made, seconded, and carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- A. Syed A. Yusoof in the amount of \$5,512.45 overpayment of 2009 taxes. (PID #C340-999-1410-3100).
- B. Select Portfolio Servicing, INC. in the amount of \$2,931.20 overpayment of 2009 taxes. (PID #C733-999-0040-1500)
- C. CMS C/O LPS Property Tax Solutions in the amount of \$2,736.95 overpayment of 2009 taxes. (PID #M090-999-0050-0200).
- D. North Hills Village in the amount of \$6,000.00 overpayment of 2009 taxes. (PID #N425-999-0010-0100).

- E. Chase Home Finance in the amount of \$2,513.49 overpayment of 2009 taxes. (PID #R220-000-0090-0800).
- F. CMS C/O LPS Property Tax Solutions in the amount of \$3,042.90 overpayment of 2009 taxes. (PID #S541-999-0100-2500).
- G. Corelogic for GMAC Mortgage Corp. in the amount of \$2,701.99 overpayment of 2009 taxes. (PID #S917-999-002E-7650).
- H. Lawyers Title of El Paso in the amount of \$3,423.70 overpayment of 2009 taxes. (PID #S969-999-0020-0600).
- I. Chase Home Finance LLC in the amount of \$3,461.05 overpayment of 2009 taxes. (PID #T251-999-0120-2700).
- J. Lawyers Title of El Paso in the amount of \$3,572.44 overpayment of 2009 taxes. (PID #T287-999-1430-1200).
- K. BAC Tax Services Corporation in the amount of \$2,887.20 overpayment of 2009 taxes. (PID #V893-999-0800-2500).
- L. OSI Restaurant Partners in the amount of \$35,683.64 overpayment of 2009 taxes. (PID #V893-999-3370-0125).
- M. Fidelity National Title Insurance Company in the amount of \$4,040.98 overpayment of 2009 taxes. (PID #V927-999-0270-4300).
- N. Lawyers Title of El Paso in the amount of \$5,798.90 overpayment of 2009 taxes. (PID #W145-999-0580-3500).

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**6. REQUEST TO ISSUE PURCHASE ORDER**

\*Motion made, seconded, and unanimously carried to **AUTHORIZE AS REVISED** the Purchasing Manager for Financial Services, Purchasing Division to issue a purchase order to A&R Contractors of El Paso, Texas, a contractor under the Education Service Center Region 19 Purchasing Cooperative, Contract # 08-6245, for installation of a jogging path, concrete slabs for benches, bollards and a double swing gate at City right of way that has been vacated for vehicular access adjacent to Riverbend Drive and Little Lane. Participation by the City of El Paso in the Education Service Center Region 19 Purchasing Cooperative was approved by City Council March 4, 2008.

Department: Engineering  
 Funding Source: Texas Parks and Wildlife Grant and Parkland Dedication Funds  
 Total Estimated Award: \$82,925

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**7A. – 7D. INTRODUCTIONS**

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- 7A. 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 El Paso City Council in 1999, and as subsequently amended, to delete the proposed Berringer Street, as a Collector arterial, north of Artcraft Road and south of the proposed extension of Isela Rubalcava Street.
- 7B. 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 by adding Sundance Avenue from Menlo Avenue to a point 340 feet north thereof, east side only. The penalty being as provided in Section 12.84.010 (Violation – Penalty) of the El Paso City Code.
- 7C. An Ordinance adding a new Section to Title 12 (Vehicles and Traffic), Chapter 12.80 (Miscellaneous Traffic Regulations) of the City Code relating to Restrictions on Operating a Motor Vehicle near Vulnerable Road Users; The penalty being as provided in Section 12.84.010 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON AUGUST 10, 2010, FOR ITEMS 7A – 7C**

- 7D. An Ordinance amending Title 21, Smart Code, Chapter 21.30 (New Community Plans) and Chapter 21.50 (Building Scale Plans), and Chapter 21.80 (Tables), of the El Paso City Code to add Airport Special Districts and Standards for those districts to include Sequence of Community Design, Community Types, Civic Zones, Thoroughfare Standards, Density Calculations, Building Scale Plans, Building Configuration, Building Function, Parking and Density Calculations and Disposition, Parking Location Standards, Landscape Standards, Signage Standards, and Architectural Standards. The penalty as provided in Section 21.60 of the El Paso City Code

**PUBLIC HEARING WILL BE HELD ON AUGUST 24, 2010, FOR ITEM 7D**

..... **8.**  
**ENGINEERING**

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and unanimously carried to **APPROVE** the award of Solicitation No. 2010-217 for the EPIA Butterfield Trail Golf Course Perimeter Fence Improvements to HRT Roofing & Construction, Inc. for a total estimated amount of \$1,682,186.50 and that City Council approves this as a capital project for the Airport and the City Manager shall approve all necessary budget transfers to execute the project.

Department:	Engineering
Award to:	HRT Roofing & Construction, Inc.
Base Bid:	\$1,682,186.50
Total Estimated Amount:	\$1,682,186.50
Funding Source:	Airport Enterprise Fund

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.

Mr. Sam Rodriguez, Engineering Division Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Holguin and Ortega commented.

Ms. Joyce Wilson, City Manager and Ms. Monica Lombrana, Director of Aviation, commented.

9A.

**ORDINANCE 17367**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: LOT 1, BLOCK 1, MONTECILLO UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-3/C (COMMERCIAL/CONDITIONS) AND C-3 (COMMERCIAL) TO G-MU/C (GENERAL MIXED USE/CONDITIONS) AND G-MU (GENERAL MIXED USE); AND, PARCEL 2: LOT 1, BLOCK 2, MONTECILLO UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-3/C (COMMERCIAL/CONDITIONS) TO G-MU/C (GENERAL MIXED USE/CONDITIONS). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives O'Rourke, Lilly, Byrd and Robinson commented.

Ms. Joyce Wilson, City Manager, and Ms. Kathryn Dodson, Director of Economic Development, commented.

Motion duly made by Representative O'Rourke, seconded by Representative Quintana, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke  
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

**THIS ITEM WAS VETOED BY MAYOR JOHN F. COOK ON WEDNESDAY, AUGUST 4, 2010, THROUGH THE MEMORANDUM FILED WITH THE CITY CLERK'S OFFICE AS INCORPORATED IN THESE MINUTES, BELOW:**

**M E M O R A N D U M**

TO: Richarda Duffy Momsen  
City Clerk

FROM: Mayor John F. Cook

SUBJECT: Veto of Council Action

DATE: August 4, 2010

The purpose of this memorandum is to notify Council that I disapprove the action taken on the following item on the Agenda for the City Council meeting of August 3, 2010:

Regular Agenda – Public Hearing on Item 9.A.

An Ordinance changing the zoning of Parcel 1: Lot 1, Block 1, Montecillo Unit One, City of El Paso, El Paso County, Texas from C-3/C (Commercial/Conditions) and C-3 (Commercial) to G-MU/C (General Mixed Use/Conditions) and G-MU (General Mixed Use); and, Parcel 2: Lot 1, Block 2, Montecillo Unit Two, City of El Paso, El Paso County, Texas from C-3/C (Commercial/Conditions) to G-MU/C (General Mixed Use/Conditions). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Montecillo Boulevard and Mesa Street. Property Owners: EPT The Venue at Montecillo Apartments, LLC and Capital Bank SSB. ZON10-00020 **(District 8)** [Development Services/Planning, Linda Castle, (915) 541-4029]

I hereby veto the action of the City Council on this item. The reason for my veto is: Representative Beto O'Rourke has requested reconsideration of the item so that he may abstain from the vote.

cc: City Council

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ITEMS TAKEN TOGETHER

**9B. PUBLIC HEARING - DEVELOPMENT SERVICES**

Motion made by Representative O'Rourke, seconded by Representative Quintana, and carried to **POSTPONE** two weeks the public hearing on 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.

**9C. PUBLIC HEARING - DEVELOPMENT SERVICES**

Motion made by Representative O'Rourke, seconded by Representative Quintana, and carried to **POSTPONE** two weeks the public hearing on 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.

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives O'Rourke, Byrd and Ortega commented.

Ms. Kimberly Forsyth, Engineering Senior Lead Planner, commented.

Mr. Miguel Perez, UTEP Planning Construction, Project Manager

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**10A. MAYOR AND COUNCIL**

A presentation by the Community Scholars: "El Paso City Services: Balancing Need, Equity & Fairness".

Mr. Gerardo Hernandez, Montwood High School, and Mr. Cristian Martinez, Bel Air High School, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives O'Rourke, Byrd, Acosta, Holguin and Lilly commented.

Mr. Jose M. Landeros, Community Scholars Program Coordinator, commented.

**NO ACTION** was taken on this item.

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**10B. MAYOR AND COUNCIL**

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **DIRECT AS REVISED** the City Manager to negotiate with other local entities to enter into the El Paso Criminal Justice Mental Health Jail Diversion Collaboration Agreement, and that this agreement binds the City in no way with any sort of liquid financial responsibility.

Ms. Holly Lytle, Assistant County Attorney, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Robinson, Byrd, Ortega, Acosta and Holguin commented.

Ms. Joyce Wilson, City Manager, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

County Commissioner Dan Haggerty commented.

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**ADDITION TO THE AGENDA**

**1. CITY MANAGER**

City Manager's report of current events and issues:

Discussion and action on FY 2011 Budget Wrap Up session.

Ms. Joyce Wilson, City Manager, provided a summary of the FY2011 Proposed Reductions to meet targeted effective Operating and Maintenance Rate of \$1,496,000.

The City Council asked questions and deliberated on the proposed budget.

Mayor Cook and the City Representatives questioned City staff.

The following City staff members commented:

1. Ms. Nanette Smejkal, Director of Parks and Recreation
2. Ms. Carol Brey-Casiano, Director of Libraries
3. Mr. David Almonte, Director of the Office of Management and Budget
4. Mr. William Studer, Deputy City Manager of Financial and Administrative Services
5. Mr. Charlie McNabb, City Attorney, gave legal advice.
6. Ms. Ellen Smyth, Director, Environmental Services

7. Ms. Deborah Strom, Environmental Services Administrative Manager

The following members of the public commented:

1. Ms. Lisa Turner
2. Ms. Alisa Jorgenson, El Paso Aqua Posse
3. Mr. Dan Salazar, Neighborhood Coalition representing the eastside
4. Ms. Lori Scott, Cathedral Swimming & USA Swimming
5. Mr. Arthur Ward
6. Ms. Bea Heist

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**1<sup>ST</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Byrd and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 11:27 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

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**2<sup>ND</sup> MOTION**

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **ADJOURN** the Executive Session at 11:37 a.m. and **RECONVENE** the meeting of the City Council.

**3<sup>RD</sup> MOTION – PROJECT ARRIBA**

Motion made by Representative Holguin, seconded by Representative Quintana, and carried **TO RECONSIDER THE FUNDING FOR PROJECT ARRIBA AND TO REDUCE IT FROM \$300,000 TO \$50,000. THE MOTION FAILED.**

AYES: Representatives Acosta, Quintana, and Holguin  
NAYS: Representatives Lilly, Byrd, Robinson, Ortega, and O'Rourke

**4<sup>TH</sup> MOTION – PROJECT ARRIBA**

Motion made by Representative Holguin, seconded by Representative Ortega, and carried **TO REDUCE PROJECT ARRIBA'S FUNDING TO LAST YEAR'S AMOUNT OF \$200,000.**

AYES: Representatives Lilly, Acosta, Robinson, Quintana, Holguin, and Ortega  
NAYS: Representatives Byrd, and O'Rourke

**5<sup>TH</sup> MOTION - REDCO**

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Holguin, and carried **TO REDUCE REDCO'S BUDGET FROM \$150,000 TO ZERO. THE MOTION FAILED.**

AYES: Representatives Acosta, Quintana, Holguin, and O'Rourke  
NAYS: Mayor Cook and Representatives Lilly, Byrd, Robinson, and Ortega

Mayor Cook broke the tie, voting nay.

**6<sup>TH</sup> MOTION - CITY MANAGER RECOMMENDATIONS**

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Acosta, and carried **TO ACCEPT THE RECOMMENDATIONS OF THE CITY MANAGER; MINUS CLOSING THE MAIN LIBRARY ON SUNDAYS; MINUS CLOSING 4 OF THE 9 POOLS FOR 18 WEEKS; REDUCE THE YOUTH SCHOLARSHIPS TO \$100,000; AND APPLY THE EXTRA \$33,000 CREDIT BACK TO THE POLICE DEPARTMENT, WITH AN AMENDMENT THAT THERE IS A REQUIREMENT FOR A THREE DAY FURLOUGH AND IF THE POLICE**

**DEPARTMENT MAKES UP THE SAVINGS THEN THEY CAN REDUCE THE NUMBER OF FURLOUGH DAYS.**

AYES: Representatives Lilly, Byrd, Acosta, Holguin, Ortega and O'Rourke  
NAYS: Representatives Robinson and Quintana

**7<sup>TH</sup> MOTION – CIVIL SERVICE COMMISSION**

Motion made by Representative O'Rourke, seconded by Representative Ortega, and carried **TO DIRECT THE CITY MANAGER TO WORK WITH THE CITY ATTORNEY'S OFFICE TO DETERMINE WHAT COSTS COULD BE PARED FROM THE CIVIL SERVICE COMMISSION BUDGET IN KEEPING WITH THE CURRENT CITY CHARTER.**

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Ortega and O'Rourke  
NAYS: Representatives Quintana and Holguin

**8<sup>TH</sup> MOTION – PARKS AND RECREATION AFTER SCHOOL PROGRAM**

Motion made by Representative Byrd, seconded by Representative Ortega, and carried **THAT CITY STAFF REPLACE THE HOUSTON ELEMENTARY PROGRAM WITH EITHER COLDWELL ELEMENTARY OR PAUL MORENO ELEMENTARY, AND TO ADD ON AN ADDITIONAL SITE ON THE FAR EASTSIDE.**

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, and Ortega  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representative O'Rourke

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Motion made by Representative Ortega, seconded by Representative Robinson, and unanimously carried to **ADJOURN** this meeting at 1:41 p.m.  
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APPROVED AS TO CONTENT:

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Richarda Duffy Momsen, City Clerk