

**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  
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS  
TUESDAY, AUGUST 16, 2005  
9:00 A.M.**

**AND**

**SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION  
COUNCIL/STAFF QUESTION AND ANSWER SESSION  
10TH FLOOR, CONFERENCE ROOM  
MONDAY, AUGUST 15, 2005  
4:00 P.M.**

**ROLL CALL**

Invocation – Police Chaplain Carlos Flores  
Pledge of Allegiance

**MAYOR'S PROCLAMATIONS**

**EL PASO NAACP DAY  
EDS TRAINERS' DAY**

**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](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.

**CONSENT AGENDA**

1. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]  
Approval of Minutes for Regular City Council Meeting of August 9, 2005 and Special City Council Meeting of August 8, 2005 (Agenda Review).
2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**
3. **RESOLUTIONS:**
  - 3A. That the City Manager be authorized to sign a Highway-Rail Signal Interface Agreement between BNSF Railway Company and the City of El Paso which will provide for the installation and maintenance at the Race Track Drive at grade crossing. **(District 8)**  
[Deputy City Manager, Infrastructure and Development, Patricia D. Adauto, (915) 541-4853]
  - 3B. That the City Manager be authorized to sign a Highway-Rail Signal Interface Agreement between BNSF Railway Company and the City of El Paso which will provide for the installation and maintenance at the Ruhlen Court at grade crossing. **(District 8)**  
[Deputy City Manager, Infrastructure and Development, Patricia D. Adauto, (915) 541-4853]
  - 3C. That the City Manager be authorized to sign a Contract of Sale between the CITY OF EL PASO and RICARDO & MARIA DE LOURDES ROBLES for the purchase of a portion (6.2 square feet) of Lot 1, Childs Subdivision, El Paso, El Paso County, Texas, for the Dorbandt Street & Drainage Improvement Project. **(District 7)** Project #PBE04ST115; Fund: 29130; Department: 14200403; Account: 508000 [Deputy City Manager, Infrastructure and Development, Patricia D. Adauto, (915) 541-4853]
  - 3D. Placing a lien on the following properties (legal description on file with the City Clerk) and in the following amounts for work performed by the City pursuant to Chapter 9.04. [Solid Waste Management, Ellen A. Smyth, (915) 621-6719]

500 Raynolds <b>(District 2)</b>	\$368.05	Alfredo Moreno
5532 Bandy <b>District 2)</b>	\$ 93.64	Jesus M. Rojas
3923 Cumberland <b>(District 2)</b>	\$324.75	Jose and Francisca Dominguez
2702 Porter <b>(District 2)</b>	\$313.93	Corina Y. Duarte & 3 c/o Manuel E. Duarte
3505 Mobile <b>(District 2)</b>	\$330.16	Rigoberto P. Delgado (LE)
8008 Mount Latona <b>(District 2)</b>	\$584.55	Hans and Guadalupe R. Domansky
516 Emerson <b>(District 3)</b>	\$349.11	Pablo Garcia
5929 Marlin <b>(District 4)</b>	\$681.98	Kathryn J. Poe
10313 Newport <b>(District 4)</b>	\$213.79	Samuel Galvan
5309 Edmonton <b>(District 4)</b>	\$189.44	Alfredo and Nubia Acosta
10152 Dyer <b>(District 4)</b>	\$303.10	Robert L. Gumm

6045 Quail <b>(District 4)</b>	\$416.76	Blanca E. Bell
11496 Arrow Rock <b>(District 5)</b>	\$270.63	Housing and Urban Development
1991 Dana Bree <b>(District 6)</b>	\$113.66	Hector R. and Nora Y. Torres
12575 Flora Alba <b>(District 6)</b>	\$227.33	Rosa Stochyn
11405 Menlo <b>(District 5)</b>	\$346.40	Patricia M. Williams
11408 Menlo <b>(District 5)</b>	\$216.50	Teresa M. Arreola
11452 Menlo <b>(District 5)</b>	\$284.16	Irasema F. de Garcia
418 San Pablo <b>(District 7)</b>	\$221.91	Maria Horton and Margaret V. Vara
8136 Wonderland <b>(District 7)</b>	\$154.80	Eldenfonso and Elodia Curiel
2927 Central <b>(District 8)</b>	\$665.74	Martina O. Leal
1505 Campbell <b>(District 8)</b>	\$216.50	Jorge Acevedo c/o Moises Salazar and 7
809 Myrtle <b>(District 8)</b>	\$422.18	Carlos Escobedo

4. Appointment of John Batoon as Assistant City Attorney effective August 16, 2005.  
[City Attorney, Charlie McNabb, (915) 541-4550]

5. **BOARD APPOINTMENTS:**

5A. Pat Valdez-Rios to the Greater El Paso Civic, Convention and Tourism Advisory Board by Mayor John F. Cook. [Mayor's Office, Matthew Briones, (915) 541-4656]

5B. John Doering to the Community and Human Development Steering Committee by Representative Ann Morgan Lilly, District 1.  
[Representative Ann Morgan Lilly, (915) 541-4151]

5C. Belinda M. Luna to the City Plan Commission by Mayor Pro Tempore Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]

6. **REQUEST FOR PROPOSAL:** [Purchasing Department, Ray Heredia, (915) 541-4316]

This competitive sealed bid proposal is being awarded to the responsible offeror whose proposal is determined to be the most advantageous to the City, considering the relative importance of price and the other evaluation factors included in the request for proposal.

Solicitation No.: 2005-198R Comprehensive Loss Control Program  
Award to: Risk & Insurance Management Consultants, Inc.  
El Paso, TX  
Amount: \$78,000.00 (estimated yearly)

Department: Office of Management & Budget  
Funds available: 99100255-45122-502215  
Funding source: Workers' Compensation Fund  
Total award: \$234,000.00 (estimated)  
**District (s): All**

The Office of Management and Budget, Insurance Department, Consultant, Purchasing Department and the review committee have met and reviewed the Proposals that were received. It is the recommendation of the committee to award the RFP to Risk & Insurance Management Consultants, Inc. The proposal response addressed the scope and intent of the RFP.

This is a thirty-six (36) month contract with the option to extend the contract for two (2) additional years, one year at a time.

Additionally, it is requested authorization for City staff to negotiate, City Attorney's Office to review, and the City Manager be authorized to execute any related contract documents, agreements and budget transfers necessary during the contract.

- 7. **BIDS:** [Purchasing Department, Byron Johnson, (915) 541-4308]  
 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.

**7A.** Solicitation No.: 2005-231 Boys Club Park Walkways & Benches  
 Contractor: CH & JM Construction Inc.  
 El Paso, TX

Department: Parks & Recreation  
 Funds Available: 71150069-G7130CD0017-07799-508027  
 Funding Source: Community Development  
 Items: Base Bid \$35,200.00  
 Total Award: \$35,200.00  
**District (s): 8**

**RECOMMENDATION:**

The Departments of Engineering, and Parks and Recreation recommend the award of this contract to CH & JM Construction Inc., the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

**7B.** Solicitation No.: 2005-224 Dudley Field Complex Demolition  
 Contractor: SOCOM dba AAA Demolition  
 El Paso, TX

Department: Zoo  
 Funds Available: 14101003-60304-PQLZ0104-508027  
 Funding Source: 2000 Quality of Life Bonds  
 Items: Base Bid \$56,000.00  
 Total Award: \$56,000.00  
**District (s): 3**

**RECOMMENDATION:**

The Departments of Engineering, and Zoo recommend the award of this contract to SOCOM dba AAA Demolition, the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract. Additionally, it is requested that the City Manager and Staff be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

**8. BUDGET TRANSFERS:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**8A. BT2005-1441 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to appropriate \$20,019 received from EPISD as reimbursement for the flasher installation at Aoy Elementary School. **(District 8)**

Increase	\$20,019	to	31255005/PPW005227691/405067	ReimbExpend
Increase	\$20,019	to	31255005/PPW005227691/508027	Construction

**8B. BT2005-1493 CITY ATTORNEY**

Utilizing Reserve for Legal Claims as identified in the FY2005 Budget Resolution to cover current Damages/Settlement obligations and transferring funds from general City contingency to offset current cost over-runs in External Legal Counsel.

Decrease	\$350,000	from	99010335/01101/504405	OperCntngncy
Increase	\$350,000	to	03010026/01101/502109	ExtLegalCnsl
Increase	\$200,000	to	99010335/01101/407002	EstRevenue
Increase	\$200,000	to	03010025/01101/505409	Damag/Settle

**9. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:**

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

**9A. Candlelighters of El Paso to hold a cancer awareness walk on September 17, 2005 from 9:00 a.m. to 12:00 p.m. Route: Start at Tom Lea (Lower) Park – 1203 Schuster Ave. to Stanton, turn right on Stanton to Rim, turn right on Rim to Brown, turn right on Brown and finish at Tom Lea (Lower) Park. Approximately 150 persons will take part. This request includes permission to use amplification (1 p.a. system). PERMIT # 05-100 [Al Hinojos] (District 1)**

NO OBJECTIONS FROM FIRE, SUN METRO, PARKS AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 5 OFFICERS AND 5 VEHICLES. ESTIMATED COST TO CITY: \$393.75; ESTIMATED COST TO APPLICANT: \$168.75. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

- 9B.** Xavier Miranda / ANSWER to hold a demonstration at Immigration & Naturalization Services Detention & Deportation Center – 8915 Montana Ave. on August 29, 2005 from 6:00 a.m. to 5:00 p.m. Approximately 50 persons will take part. This request includes permission to use amplification (1 portable amplifier, 1 microphone and 2 speakers). PERMIT # 05-101 [Xavier Miranda] **(District 8)**  
NO OBJECTIONS FROM FIRE AND SUN METRO. TRAFFIC/ENGINEERING HAS NO OBJECTION TO THE DEMONSTRATION LOCATION AT 8915 MONTANA AVE. THE DEMONSTRATORS MUST NOT OBSTRUCT THE PEDESTRIAN MOVEMENT AT THIS LOCATION. TXDOT FORM LETTER. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.
- 9C.** Skyline Optimist Club to use amplification (1 microphone and 1 speaker) at Skyline Optimist Youth Park – 5050 Yvette on August 20, 2005 from 3:00 p.m. to 8:00 p.m. for a carnival. Approximately 50 persons will take part and 1,000 spectators are anticipated. PERMIT # 05-102 [Karla Martinez] **(District 4)**  
NO OBJECTIONS FROM PARKS. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.
- 9D.** Brigitte Ballou to block off Manny Aguilera between 3024 and 3057 on August 20, 2005 from 4:00 p.m. to 12:00 a.m. for a block party. Approximately 50 persons will take part. Barricades must be manned according to the State’s “Manual of Uniform Traffic Control Devices”. PERMIT # 05-103 [Brigitte Ballou] **(District 5)**  
NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF BUILDING PERMITS & INSPECTIONS RECOMMENDS APPROVAL.

### REGULAR AGENDA

**10. 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.**

- 10A.** An Ordinance amending Title 2 (Administration and Personnel), to create Chapter 2.110 (City Organizational Structure) and Sections thereunder in the El Paso City Code to create and establish the functions of the Department known as the City Manager’s Office; the Bureaus within the Department: Development and Infrastructure Services, Financial and Administrative Services and Quality of Life Services; and to create and establish the Departments that report to the Deputy City Managers: Environmental Services, Development Services, and General Services and Financial Services/CFO; to establish other Departmental Reporting and Subordinate Bureaus; and to repeal Ordinance No. 15863.  
[City Manager, Joyce A. Wilson, (915) 541-4844]
- 10B.** An Ordinance repealing Ordinance 15876, which created the Building and Planning Services Department. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10C.** An Ordinance repealing Ordinance 15878, which created the Financial and Administrative Services Department. [City Manager, Joyce A. Wilson, (915) 541-4844]

- 10D.** An Ordinance repealing Ordinance 15879, which created the Quality of Life Services Department. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10E.** An Ordinance repealing Ordinance 15877, which created the Municipal Services Department and designating an official to perform the functions set forth within the City's ordinances, resolutions and legal documents as being assigned to the Department or its Director. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10F.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.40 (Department of Museums and Cultural Affairs) to Section 2.40.010 (Department-Creation-Functions), of the El Paso City Code to change the name of the Department to the Department of Museums and Cultural Affairs and to provide for establishment of Divisions within the Department.  
[City Manager, Joyce A. Wilson, (915) 541-4844]
- 10G.** An Ordinance amending the El Paso City Code to substitute the term "General Services Department" for the term "Fleet Services Department"; to substitute the term "Department of Museums and Cultural Affairs" for the term "Arts and Culture Department"; to substitute the term "Planning Department" for the term "Department of Planning, Research and Development"; to substitute the term "Department of Environmental Services" for the term "Department of Solid Waste Management"; to substitute the term "Department of Financial Services/CFO" for the term "Purchasing Department" at all places in the Code where such terms appear. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10H.** An Ordinance amending the El Paso City Code to substitute the term "General Services Director" for the term "Fleet Services Director"; to substitute the term "Environmental Services Director" for the term "Solid Waste Management Director"; to substitute the term "Museums and Cultural Affairs Director" for the term "Arts and Culture Director"; to substitute the term "Planning Director" for the term "Director of Planning, Research and Development" at all places in the Code where such terms appear; to substitute the term "Deputy Director—Building Permits and Inspections" for the term "Assistant Director, Building Permits and Inspections Department" in 2.88.060 of the City Code; and to clarify that the Director of Building Permits and Inspections includes the designation of Building Official; and that the Chief Financial Officer shall be the Comptroller.  
[City Manager, Joyce A. Wilson, (915) 541-4844]
- 10I.** An Ordinance amending the El Paso City Code to add and designate the Enforcement Authority of the Department of Environmental Services and the Development Services Department and their Directors and Designees.  
[City Manager, Joyce A. Wilson, (915) 541-4844]
- 10J.** An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions) to Section 20.04.070 (Development Services) of the El Paso City Code to transfer certain duties and functions to the Development Services Department; the penalty being as provided in Section 20.68.010 of the El Paso City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]

- 10K.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.08 (Junked Vehicles) to Sections 9.08.010 (Declared Nuisance), 9.08.030 (Abatement), 9.08.050 (Enforcement Authority), and 9.08.060 (Enforcement) of the El Paso City Code to transfer the duties and administration for junked vehicles to the Department of Environmental Services; the penalty being as provided in Section 9.08.070 of the El Paso City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10L.** An Ordinance amending Title 19 (Subdivisions), Chapter 19.04 (General Provisions), Section. 19.04.190 A 1 (Enforcement, Violations and Penalties) to provide that the City Manager shall make the designation of the Chief Enforcement Official for the Enforcement of Title 19; the penalty being as provided in Section 19.04.190 of the El Paso City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10M.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.04 (General Provisions and Definitions), Section 12.04.190 (Traffic Engineer) to provide that the City Manager shall have authority to designate the Traffic Engineer for the City; the penalty being as provided in Sections 1.08.010 to 1.08.030 of the El Paso City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10N.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Section 20.02.848 (Traffic Engineer) to provide that the City Manager may make an alternate designation of the Traffic Department and Engineer; the penalty being as provided in Section 20.68.010 of the El Paso City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10O.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.60 (Flood Damage Prevention), Section 18.60.420 (Designation of the Floodplain Administrator), Section 18.60.430 (Duties and Responsibilities of the Floodplain Administrator), Section 18.60.440 (Duties and Responsibilities of the City Engineer) and Section 18.60.450 (Duties and Responsibilities of the Street Director) of the El Paso City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10P.** An Ordinance establishing the manner in which the fees charged by the City will be set; to repeal all conflicting Ordinances or Ordinance Provisions; and to continue certain Ordinances and Provisions relating to fines, fees and penalties in effect in the El Paso City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10Q.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Environmental Services); to rename the Chapter; to amend Section 9.04.010 (Purpose and Creation of Department); Section 9.04.030 6, 7 (Definitions); Section 9.04.400 (Collection, Service and Transportation Fees), Section 9.04.410 (Permit Fees); Section 9.04.420 (Disposal Fees); Section 9.04.430 (Nonpayment of Fees); and Section 9.04.450 (Solid Waste Management Fund and Equipment Subfund); to establish the Environmental Services Department; to revise definitions; to revise the calculation of the Senior and Disabled Citizens discount; to create an Environmental Service Fee and Landfill Spillage Fee; and to remove the fee schedules and establish criteria and guidelines for the setting of fees; the penalty being as provided in Section 9.04.390 of the City Code. [City Manager, Joyce A. Wilson, (915) 541-4844]

- 10R.** An Ordinance amending Title 13 (Streets, Sidewalks & Public Places), Chapter 13.24 (City Parks & Recreation Areas), to rename Subsection 13.24.200 (Parks & Recreation Fee Authorization) of the El Paso City Code and to remove the Fee Schedules and to establish Guidelines and Criteria for the charging of fees for facility rentals, activities, programs and general services offered by the Parks & Recreation Department. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10S.** An Ordinance amending Title 13 (Streets, Sidewalks & Public Places), Chapter 13.25 (El Paso Zoo), to rename Subsection 13.25.010 (El Paso Zoo Fees) of the El Paso City Code and remove the listed fees and to establish Guidelines and Criteria for the charging of fees at the Zoo and repeal of Subsection 13.25.015. [City Manager, Joyce A. Wilson, (915) 541-4844]
- 10T.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection A. Prohibiting Parking or Standing of Vehicles at any time inclusive of Sundays and Holidays, of the El Paso City Code, to add a new location on Tierra Este Drive, From Montana Avenue (US 62/180) to Zaragoza Road (FM 659), both sides. The penalty being as provided in Section 12.88.180 (F) of the El Paso Municipal Code. **(District 5)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 10U.** 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, to temporarily reduce the speed on Interstate Highway 10 in certain Sections. The penalty for violation being as provided in Section 12.84.010 of the El Paso City Code. **(District 1)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 10V.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), of the El Paso City Code, to amend Section 12.88.150 (Schedule XIV, Speed Limits), to add, delete or modify the Speed Limits of 35 M.P.H., 40 M.P.H., and 45 M.P.H. on various streets. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(Districts - All)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 10W.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), to add Section 12.88.081 (Schedule VIIIA - Common Carrier Passenger Route). **(Districts - All)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 10X.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII - Restrictions on Parking in Residential Districts), of The El Paso Municipal Code, to add Zone K: No Parking 7:00 a.m. - 4:00 p.m., School Days Only. The penalty being as provided in Section 12.85.110 (Violation-Penalty) of the El Paso Municipal Code and as set by Resolution of the City Council on January 13, 2004. **(District 5)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 10Y.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.040 (Schedule IV - Parking Prohibited During Certain Hours on Certain Streets), Paragraph 12.88.040 (J) (No Parking, 7:00 a.m. to 4:00 p.m.), subparagraph 12.88.040 (J)(5), La Subida Drive, from Monte Mar Place to a Point 114 Feet West of Andalucia Drive, Southside only, to reduce the distance for which parking is prohibited. The penalty for violation of same as provided in Section 12.85.110 of the El Paso City Code and as set by Resolution of the City Council on January 13, 2004. **(District 7)**  
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]
- 10Z.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 16, Hearings, to expedite the conduct of the hearings, to change the procedures for requesting and granting a continuance and to change the invocation of the rule for the hearings.  
[Human Resources, Terry A. Bond, (915) 541-4509]
- 10AA.** An Ordinance granting a Special Privilege to O.P.E.P. Incorporated to temporarily close a portion of Ochoa Street between First Avenue and Paisano Drive on Sunday, September 4, 2005 through Monday, September 5, 2005 for a "Foam Party Celebration" and on Monday, October 31, 2005 through Tuesday, November 1, 2005 for a "Halloween Block Party". (Fee: \$275.00, SP-05017) **(District 8)**  
[Planning Research and Development, Esther Guerrero, (915) 541-4720]

**PUBLIC HEARING WILL BE HELD ON AUGUST 30, 2005 FOR ITEMS 10A– 10AA**

- 10BB.** An Ordinance changing the zoning of a part of the North Part of Section 44, Block 79, Township 2, T & P RR, El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: River Oaks Properties, LTD. Location: 12100 block of Pebble Hills. ZON05-00048. **(District 5)**  
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 10CC.** An Ordinance granting Special Permit No. ZON05-00049, to allow for a ground-mounted cellular telecommunications antenna support structure with appurtenant antennas and equipment storage facilities on the property described as a portion of Lots 11 and 12, Block 34, Campbell Addition, El Paso, El Paso County, Texas, pursuant to Section 20.61.060 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: T-Mobile, USA, Inc. Location: 1100 Oregon St. ZON05-00049 **(District 8)**  
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 10DD.** An Ordinance changing the zoning of Tracts 1A and 1B, George Wilson Survey No. 91, El Paso, El Paso County, Texas from R-4 (Residential) to C-4/c (Commercial/conditions). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Jorge Valenzuela. Location: 3962 Doniphan. ZON05-00052. **(District 8)**  
[Planning, Research and Development, Christina Valles, (915) 541-4930]
- 10EE.** An Ordinance granting Special Permit No. ZON05-00057, to allow for a ground-mounted cellular telecommunications antenna support structure with appurtenant antennas and equipment storage facilities on the property described as a portion of Lot 22, Block H, Thomas Manor Unit Seven, El Paso, El Paso County, Texas, pursuant to Section 20.22.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: T-Mobile. Location: 7900 Knights Drive. ZON05-00057. **(District 7)**  
[Planning, Research and Development, Christina Valles, (915) 541-4930]

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 6, 2005 FOR ITEMS 10BB – 10EE**

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.

**11. MAYOR AND COUNCIL:**

**11A.** Discussion concerning progressive neighborhood planning principles by El Paso urban planner R. Carlos Gallinar. [Representative Steve Ortega, (915) 541-4124]  
 POSTPONED FROM 08-09-05

**11B.** Discussion, update and action on the report on Border Solutions: Ending Chronic Homelessness in El Paso, Texas to be presented by Dave Gillooly from El Paso Coalition for the Homeless. [Mayor John F. Cook, (915) 541-4145]

**11C.** Discussion and action on assigning the Economic Development Department the task of negotiating with VF Jeanswear for a good-will economic impact settlement in the full amount of property taxes abated to them. For a period of time commencing about 10 years ago, the City of El Paso provided about \$500,000 in abatements to VF Jeanswear. Since that time, almost all of VF Jeanswear manufacturing facilities have closed, resulting in significant job losses for a population of workers that has had a difficult time transitioning back into the workforce because of limited skills and limited English-language proficiency. Because of the substantial negative economic impact on the community of these manufacturing closures, the City should ask VF Jeanswear to consider granting \$500,000 to programs that help VF Jeanswear displaced workers transition back to the workforce at a living wage.  
 [Representative Susie Byrd, (915) 541-4416]

**11D.** Discussion and action on assigning Staff to analyze rail issues (legislation and funding), to make recommendations to Council on best options for El Paso and the region, and to actively engage in tri-state and bi-national conversations about the future of rail in the region. [Representative Susie Byrd, (915) 541-4416]

**12. BUDGET TRANSFER:** [Office of Management and Budget, David Almonte, (915) 541-4011]

**BT2005-1458 BUILDING AND PLANNING SERVICES**

Building and Planning Services proposes to appropriate a cash balance of \$707,995.90 to a project called Citywide Communication System for communication upgrades at City Hall, MSC (Yarborough) and Fire Headquarters. **(All Districts)**

Increase	\$707,995.90	to	31115202/P50120828100/407002	EstRevenue
Increase	\$707,995.90	to	31115202/P50120828100/508035	CommEquip

**13. PERSPECTIVA + 3D/I (P+3):** [Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]

Council to authorize the transfer of \$445,000 to the following Park project construction accounts from the Park Proposition Contingency Fund in conformance with the P+3's Program Outlook Plan approved by City Council on September 14, 2004.  
 Funding Source - 2000 QOL Bond Program. **(Districts 2, 4 and 6)**

**14. PURCHASING:** [Purchasing Department, Byron Johnson, (915) 541-4308]

Request approval for the Director of Purchasing to reject the bids submitted for Solicitation No. 2005-217, Clint Landfill Phase I Cells 3-6, and Scale House TCEQ MSW Permit No. 2284. All bids received exceed the budget appropriated for this project. It is recommended by the Purchasing, Engineering and Solid Waste Management Departments that this item be re-bid with revised specifications.

[Purchasing Department, Byron Johnson, (915) 541-4308]

**15. CITY MANAGER:**

City Manager's report of current events and issues:

**15A.** Update on City's 2005 Federal Legislative Agenda, Quinn Dodd, Federal Lobbyist. [City Manager, Joyce A. Wilson, (915) 541-4844]

**15B.** Staff Briefing on the Capital Improvement Program and Recommended Capital Budget. [Deputy City Manager, Infrastructure and Development, Patricia D. Aduato, (915) 541-4853]

**16.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

**16A.** Litigation against Asarco to collect the costs of remediating properties in and around the El Paso metals site. (551.071 and 551.072)

[City Attorney's Office, James A. Martinez, (915) 541-4550]

**16B.** Workers' Compensation Subrogation Interest Regarding Antonio Mendoza. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

**16C.** Workers' Compensation Subrogation Interest Regarding Scott Wakefield Graves. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

**16D.** Victor Echegoyen, et al vs. Leach Company d/b/a Wisconsin Leach Company and Waste Systems Equipment, Inc.; Cause No. 2003-815. (551.071)

[City Attorney's Office, James A. Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape 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 FOLLOWING ADDRESS: <http://www.elpasotexas.gov>**