

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL ROBINSON, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR REGULAR CITY COUNCIL MEETING

**August 17, 2010
Council Chambers, City Hall
8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

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

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

**Invocation –Police Chaplain Clift Barnes
Pledge of Allegiance**

RECOGNITIONS

CITY EMPLOYEES

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all

agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of August 10, 2010.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the Director of Aviation be authorized to sign and submit a grant application and related documentation to the Federal Aviation Administration (FAA), and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Improvement Program (AIP) Project – Development of Electronic Airport Layout Plan (eALP) No. 3-48-0077-029-2010 and that upon approval and issuance of such grant by the FAA, the City Manager be authorized to accept and sign the grant agreement and other necessary documents when the form and substance of those documents have been reviewed and approved by the City Attorney's office. The total amount of the grant shall include a federal share of \$300,000 and a local share of \$15,000.
(All Districts) [Airport, Monica Lombrana, (915) 780-4793]

3B. That the City Manager be authorized to sign the First Amendment to the following Development Agreements passed and approved July 24, 2007, between the City and GFA Limited Partnership, a Texas Limited Partnership, to allow more time for the construction of the park improvements and to clarify the bond requirement provision.

Ventanas Unit One Off-Site Park Development Agreement
Ventanas Unit Two Off-Site Park Development Agreement
Ventanas Unit Three Off-Site Park Development Agreement
Ventanas Unit Four Off-Site Park Development Agreement
(District 6) [Development Services, Michelle Padilla, (915) 541-4903]

3C. Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso City Code:

6016 Redstone Lane \$6,345.06 Michael E. Jones
(District 4) [Development Services, Victor Morrison-Vega, (915) 541-4557]

3D. A Resolution repealing Special Permit No. SP91-14 for Parcel I, described as Lots 11 and 12, Block 73, Magoffin Addition and Parcel II, described as a portion of Lots 8-14, Block 76B, Ward Subdivision, City of El Paso, El Paso County, Texas, to remove the off site parking allowed to satisfy the parking requirements

for Parcel I. Subject Property: 1402 E. Paisano Drive. Property Owner: JHGIL, LTD. **(District 8)** [Development Services/Planning, Andrew Salloum, (915) 541-4633]

- 3E.** A Resolution nominating Dish Network L.L.C. to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise Project at its location in El Paso at 1285 Joe Battle Boulevard; El Paso, Texas 79936-0984. **(All Districts)**
[Economic Development, Kathryn Dodson, (915) 541-4670]
- 3F.** A Resolution nominating Western Refining Company, L.P. to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as a Double Jumbo Enterprise Project at its location in El Paso at 6500 Trowbridge Drive; El Paso, Texas 79905-3402. **(All Districts)**
[Economic Development, Kathryn Dodson, (915) 541-4670]
- 3G.** A Resolution nominating El Paso Healthcare System, LTD. to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise project for Las Palmas Hospital located at 1801 N. Oregon; El Paso, TX 79902. **(All Districts)**
[Economic Development, Kathryn Dodson, (915) 541-4670]
- 3H.** A Resolution nominating El Paso Healthcare System, LTD. to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise project for Del Sol Hospital located at 10301 Gateway Blvd W; El Paso, TX 79925. **(All Districts)**
[Economic Development, Kathryn Dodson, (915) 541-4670]
- 3I.** That the City Council approves the Naming Policy for the El Paso Public Library. **(All Districts)** [Library, Carol Brey-Casiano, (915) 543-5406]
POSTPONED FROM 08-10-10
- 3J.** That Representative Eddie Holguin Jr. is appointed to the Board of Directors of the El Paso Central Appraisal District Board to fill the term commencing from January 1, 2010 through December 31, 2011.
[Mayor John F. Cook, (915) 541-4145]
- 3K.** A Resolution calling a special election in the City of El Paso for the submission of a measure to be held within the City on November 2, 2010; and making provisions for the conduct of the election. **(All Districts)**
[Municipal Clerk, Brian A. Heller, (915) 541-4127]
- 3L.** That the City Council approve a resolution whereby the City of El Paso requests the Sheriff of El Paso County to sell the "struck off" properties listed in Exhibit "A". **(All Districts)**
[Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, Carmen Perez, (915) 545-5481]
- 4. BOARD APPOINTMENT:**
- Maria Nicolette Robinson to the Building and Standards Commission, as a regular member, by Representative Rachel Quintana, District 5.
[Representative Rachel Quintana, (915) 541-4701]

5. APPLICATIONS FOR TAX REFUNDS:

That the tax refunds listed on the attachment posted with this agenda be approved.
 (See Attachment A) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

6. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

6A. Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Advanced Security Contractors, Inc., for installation of video security camera systems at the Municipal Service Center (MSC), Clint landfill, The El Paso Museum of Art, Museum of History, Museum of Archeology and installation of Access control systems at the Municipal Service Center. Advanced Security Contractors, Inc. is the sole source for i3DVR closed circuit TV system and Hirsch Access control systems installed at various City Buildings. Estimated expenditure is \$155,442.55 (\$142,509.40/cameras & \$12,933.15/Access controls).

Department: Information Technology
 Funding Source 2010 Certificates of Obligation
 Total Estimated Amount: \$155,442.55
 Reference No.; 2010-257
Districts: All
 [Information Technology, Art Armas, (915) 541-4288]
 [Information Technology, Terrence Freiburg, (915) 541-4188]

6B. Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue a Purchase Order to SirsiDynix Corporation, the sole source provider of maintenance for Horizon Automated Library Software and other SirsiDynix software in the estimated annual amount of \$57,038.73.

Department: Library
 Funding Source Information Technology General Fund
 Total Estimated Amount: \$57,038.73
 Reference No.; 2010-272
Districts: All
 [Information Technology, Art Armas, (915) 541-4288]
 [Information Technology, Terrence Freiburg, (915) 541-4188]

7. REQUEST FOR PROPOSAL:

The award of Solicitation No. 2010-223R (Maintenance of City Servers) to Solid Systems CAD Services, Inc. for a total estimated award of \$228,995.

Department: Information Technology
 Award to: Solid Systems CAD Services, Inc.,
 Houston, Texas
 Items: All
 Option: 2 years
 Annual Estimated Amount: \$76,331.67
 Funding Source: General Fund
 Total Estimated Award: \$228,995 (3 year total)

Reference No.; 2010-223R
Districts: All

This is a thirty-six month contract.

The cost under this contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Information Technology Department recommends award to Solid Systems CAD Services, Inc., the highest ranked proposer.
 [Information Technology, Art Armas, (915) 541-4288]
 [Information Technology, Terrence Freiburg, (915) 541-4188]

REGULAR AGENDA - INTRODUCTIONS

8. 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.**

- 8A.** An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title and interest in real property located at 418 San Pablo Pl. to Edmundo A. Lewis, in accordance with Section 34.05(H) of the Tax Code. **(District 7)**
 [Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, Carmen Perez, (915) 545-5481]
- 8B.** An Ordinance amending Title 2 (Administration and Personnel), add Chapter 2.10 (Planning and Economic Development Department), and Sections thereunder, in the El Paso City Code, to create and establish the functions of the department known as the Planning and Economic Development Department. **(All Districts)** [Development and Infrastructure, Patricia D. Aauto, (915) 541-4853]
- 8C.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), to amend and rename Chapter 13.02 (Mobility Services), and Sections thereunder, in the El Paso City Code, to create and establish the functions of the department known as the Department of Transportation. **(All Districts)**
 [Development and Infrastructure, Patricia D. Aauto, (915) 541-4853]
- 8D.** An Ordinance amending Title 13 (Streets, Sidewalks and Public Places), to create Chapter 13.06 (Engineering and Construction Management Department), and Sections thereunder, in the El Paso City Code, to create and establish the functions of the department known as the Engineering and Construction Management Department. **(All Districts)**
 [Development and Infrastructure, Patricia D. Aauto, (915) 541-4853]
- 8E.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 6 (Vehicles for Hire) to amend Section 6.40.110 (Personnel, Vehicles and Equipment - Standards and Requirements) to reassign the duties of the Development Services Department and the staff; the penalty being as

provided in Section 6.40.130 of the El Paso City Code. **(All Districts)**
[Engineering, R. Alan Shubert, (915) 541-4423]

- 8F.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 5 (Business Taxes, Licenses and Regulations) to amend various sections thereunder to reassign the duties of the Development Services Department and the staff; the penalty being as provided in Sections 5.08.180, 5.30.010, 5.32.160, 5.34.010, 5.44.270, 5.48.260, 5.54.160, 5.60.040, 5.72.120; 5.76.080, 5.84.250, 5.90.100, 5.100.100, 5.94.010, and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 8G.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 18 (Building and Construction) to amend Sections thereunder pertaining to the duties which had been assigned to the Development Services Department and staff; to delete Section 18.02.110 regarding displays in city facilities; and to delete Chapter 18.48 (Projection Booths); the penalty being as provided in Sections 18.02.107, 18.8.400, 18.21.360, 18.36.040, 18.44.240, 18.46.180, and as provided in the Technical Codes of the El Paso City Code. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 8H.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 17 (Housing) to amend various sections pertaining to the duties which had been assigned to the Development Services Department and the staff; the penalty being as provided in Sections 17.04.080 and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Engineering, R. Alan Shubert, (915) 541-4423]
- 8I.** An Ordinance to amend Title 1 (General Provisions) Chapter 1.04 (General Provisions), to amend section 1.04.030 (Definitions and Rules of Construction), to add definitions for the terms “Established Fee”, “Planning Official” and “Permit Official”. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 8J.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 12 (Vehicles and Traffic) to amend Sections thereunder pertaining to the duties which had been assigned to the Development Services Department and staff, and the definition of the Traffic Engineer; the penalty being as provided in Section 12.84.010 of the El Paso City Code. **(All Districts)**
[Engineering, R. Alan Shubert, (915) 541-4423]
- 8K.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 15 (Public Services) to amend various sections thereunder relating to duties which had been assigned to the Development Services Department, the Engineering Department, and the Street Department, and the staff; the penalty being as provided in Sections 15.08.125 and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Engineering, R. Alan Shubert, (915) 541-4423]
- 8L.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 13 (Streets, Sidewalks and Public Places) to amend various sections thereunder pertaining to the duties which had been assigned to the Development Services Department, the Engineering Department, the Street Department, the Economic Development Department, and the staff. The penalty

being as provided in Sections 13.08.180, 13.12.260, 13.20.040, and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Engineering, R. Alan Shubert, (915) 541-4423]

- 8M.** An Ordinance to amend the City Code to reflect departmental reorganization pertaining to the duties assigned to the Development Services Department and the Economic Development Department and staff by amending Titles 2 (Administration and Personnel) and 3 (Revenue and Finance) to amend various sections to reflect the name change for these departments and the reassignment of duties; the penalty being as provided in sections 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 8N.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 9 (Health and Safety) to amend various sections to reassign duties which had been assigned to the Development Services Department, the Street Department and the Engineering Department, and the staff; the penalty being as provided in Sections 9.12.890, 9.32.150, 9.40.140, 9.48.260, 9.50.130, 1.08.010 – 1.08.030, and throughout Chapter 9.52 of the El Paso City Code. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 8O.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 19 (Subdivisions), to amend various sections thereunder pertaining to the duties that had been assigned to the Development Services Department, and staff; the penalty being as provided in Section 19.42.070 of the El Paso City Code. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 8P.** An Ordinance to amend the City Code to reflect departmental reorganization by amending Title 2 (Administration and Personnel) to amend various chapters pertaining to the duties which had been assigned to the Development Services Department and the staff; the penalty being as provided in Sections 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Engineering, R. Alan Shubert, (915) 541-4423]
- 8Q.** An Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) in its entirety relating to all provisions including Solid Waste and Recyclables Storage and Collections, including commercial recyclables; Distribution of handbills, weeds and vegetation; and storage and disposition of construction or demolition waste; to clarify waste haulers requirements; to define terms; to add City emergency powers; to add flow control for municipal solid waste and franchising requirements; to add litter and shopping cart control requirements for retail and service establishments; to clarify the establishment and charging of fees; and to clarify enforcement officials and procedures. The penalty being as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 8R.** An Ordinance amending Title 2 (Administration and Personnel), to amend Chapter 2.110 (City Organizational Structure) in its entirety; to revise the structure of the department known as the City Manager's Office; to assign the Risk Management Function to the Human Resources Department; to revise the duties of the General Services Department; and to delete duplicate provisions relating to departmental authorization. **(All Districts)**
[Financial and Administrative Services, William F. Studer Jr., (915) 541-4215]

- 8S.** An Ordinance setting the fee structure for the Fire Department Medical Services System; the penalty being as provided in Section 9.523.030 of the El Paso City Code. **(All Districts)** [Fire Department, Otto Drozd, (915) 771-1000]
- 8T.** An Ordinance to standardize the eligibility age for senior fee discounts in the City of El Paso Quality of Life Departments to the age of 60 years, amending Chapter 2.40 (Department of Museums and Cultural Affairs, Section 2.40.020 (Fees) and Chapter 13.24 (City Parks and Recreation Areas) Section 13.24.200(D)(5) Park and Recreation Facility Use and Fee Authorization of the El Paso City Code. **(All Districts)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4331]
[Museums and Cultural Affairs, Sean McGlynn, (915) 541-4481]
- 8U.** An Ordinance amending Chapter 13.24 (City Parks and Recreation Areas) Section 13.24.200 Park and Recreation Facility Use and Fee Authorization, Subsection (D)(6) (Multiple Child Discount) of the El Paso City Code and adding Subsection (E) (Fee Waiver Program) to the El Paso City Code to broaden the applicability of the multiple child discount and to provide authorization of a low-income fee waiver program. **(All Districts)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4331]

PUBLIC HEARING WILL BE HELD ON AUGUST 24, 2010, FOR ITEMS 8A – 8U

- 8V.** An Ordinance changing the zoning of Tract 5, McElroy Acres, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8225 McElroy Avenue. Property Owner: Michael and Lorena Fernandez. ZON10-00037 **(District 7)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON AUGUST 31, 2010, FOR ITEM 8V

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BUSINESS

9. MAYOR AND COUNCIL:

Discussion and action on recommendations provided to City Council by the Blue Ribbon Committee on Regional Parks. **(All Districts)**
[City Manager's Office, Leila Melendez, (915) 541-4859]

REGULAR AGENDA – PUBLIC HEARINGS

10. DEVELOPMENT SERVICES:

- 10A.** An Ordinance granting Special Permit No. ZON10-00038, to allow for a Parking Reduction on the property described as south 1/2 of Lot 1, Block 4, Beaumont

Addition, City of El Paso, El Paso County, Texas, Pursuant to Section 20.64.175 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5700 Dyer Street. Property Owner: Lee Sang Woo. ZON10-00038 **(District 2)**

[Development Services/Planning, Andrew Salloum, (915) 541-4027]

- 10B.** An Ordinance granting Special Permit No. ZON10-00035, to allow for infill development and a 100% parking reduction on the property described as the south half of Lots 1 and 2 and all of Lots 3-6, Block 8, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 Parking Reduction and 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3607 Rivera Avenue. Property Owners: Project Vida Community Development Corporation. ZON10-00035 **(District 3)**

[Development Services/Planning, Andrew Salloum, (915) 541-4027]

- 10C.** An Ordinance vacating a portion of Crosby Street (70' Right-of-Way), fronting Lot 11, Block 48, Lot 10 and Lot 11, Block 49, Lot 1 and Lot 20, Block 53, Lot 20, Block 54, Alexander Addition, an Addition to the City of El Paso, El Paso County, Texas. (SUB10-00067) **(District 8)**

[Development Services/Planning, Raul Garcia, (915) 541-4935]

~~POSTPONED FROM 08-03-10~~

- 10D.** An Ordinance vacating a portion of Randolph Drive, Alexander Addition, an addition to the City of El Paso, El Paso County, Texas. Applicant: University of Texas at El Paso. SUB08-00161 **(District 8)**

[Development Services/Planning, Raul Garcia, (915) 541-4935]

~~POSTPONED FROM 08-03-10~~

- 10E.** 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 1)**

[Development Services/Planning, Linda Castle, (915) 541-4029]

11. OFFICE OF MANAGEMENT AND BUDGET:

Second Public Hearing on the City of El Paso's proposed Fiscal Year (FY) 2011 property tax increase. **(All Districts)** [Office of Management and Budget, David Almonte, (915) 541-4777]

REGULAR AGENDA – OTHER BUSINESS

12. MAYOR AND COUNCIL:

Discussion and action regarding a resolution that the Mayor be authorized to sign the El Paso Criminal Justice Mental Health Jail Diversion Collaboration with other local entities committing to explore and implement ways of appropriately and safely diverting people with brain disorders away from the Criminal Justice system. **(All Districts)**

[City Manager's Office, Leila Melendez, (915) 541-4859]

13. COMMUNITY AND HUMAN DEVELOPMENT:

Discussion and action on a Resolution that City Council's approval by resolution dated June 29, 2010 of Empowerment Zone Revolving Loan Fund Small Business Loan application and loan amount to Perspectiva Group, Inc. and 211 Florence, LP, as co-borrowers, be reduced to \$350,000 with loan proceeds to be limited to use for equipment acquisition, property rehabilitation and improvements and moving expenses, and among other collateral, to be secured by a third lien against the property located at 211 Florence, El Paso, Texas, as an exception to the program's loan-to-value analysis and loan securitization requirements, as recommended by the Director of Economic Development. **(District 8)**

[Community and Human Development, William Lilly, (915) 541-4643]

14. DEVELOPMENT SERVICES:

14A. Discussion and action to direct the City Manager to initiate amendments to zoning conditions placed on properties abutting Loop 375/Trans-Mountain Road located between Highway 54 and Interstate 10 to include reduction of setback conditions and adding other development conditions to the properties.

(All Districts) [Development Services/Planning, Mathew McElroy, (915) 541-4193]
POSTPONED FROM 08-10-10

14B. Discussion and action to direct the City Manager to initiate a map revision for the properties currently zoned C3/C, C4/SC, C4/C, C4/C/SC, and C4/C/SC/SP designated Mountain Development Area (MDA) in Title 19 (Subdivisions) abutting Loop 375/Trans-Mountain North of Interstate 10 Road located between Highway 54 and Interstate 10.

(All Districts)
[Development Services/Planning, Mathew McElroy, (915) 541-4193]
POSTPONED FROM 08-10-10

14C. Discussion and action to direct the City Manager to begin any necessary applications to secure consent from the Army Corps of Engineers (USACE) and the Office of the Secretary of the Interior to construct a bridge to cross the existing Northgate Outlet Channel to provide access to Lot 2, Block 6, Castner Range Unit 1 North of Diana Drive and East of Kenworthy Street to support a proposed rezoning to A-O and any resultant traffic. **(All Districts)**

[Development Services/Planning, Mathew McElroy, (915) 541-4193]

15. ENGINEERING:

Discussion and action that the City Council hereby approves Chapter 5, to the Neighborhood Traffic Management Program (NTMP) policy. Chapter 5 provides guidelines for the placement and installation of speed humps, cushions and tables; and provides a procedure for the removal of traffic calming measures under certain circumstance. **(All Districts)** [Engineering/Traffic Division, Kimberly Forsyth, (915) 541-4165]

16. PARKS AND RECREATION:

16A. Discussion and action on a Resolution that City Council accept the recommendation from the Parks and Recreation Advisory Board to rename the Park located at 4325 River Bend Dr., El Paso, Texas, more specifically known as

Marwood Park, City of El Paso, El Paso County, Texas, to the Braden Aboud Park. **(District 8)** [Parks and Recreation, Joel McKnight, (915) 541-4331]

- 16B.** Discussion and action on a Resolution that City Council accept the recommendation from the Parks and Recreation Advisory Board to rename the Recreation Center located at 7400 High Ridge, El Paso, Texas, more specifically known as the Westside Recreation Center, City of El Paso, El Paso County, Texas, to the Don Haskins Recreation Center. **(District 1)**
[Parks and Recreation, Joel McKnight, (915) 541-4331]

- 16C.** Discussion and action on a Resolution that the Service and Assessment Plan for the El Paso Public Improvement District No. 1 (Thunder Canyon) approved on April 17, 2007, as described in Ordinance No. 016603, has been reviewed annually as required by Chapter 372 of the Texas Local Government Code, and the City Council finds that there is no need to revise the adopted Service and Assessment Plan, and, as a result, there is no need to update annual budget and all assessments shall remain the same as described in Ordinance No. 016603. **(District 1)** [Parks and Recreation, Shamori Whitt, (915) 541-4020]

17. CITY MANAGER:

City Manager's report of current events and issues:

- 17A.** Presentation of the El Paso Firemen & Policemen's Pension Fund December 31, 2009 Actuarial Valuation and 2009 Investment Performance Review.
[Pension Fund, Robert Stanton, (915) 771-8111]
- 17B.** Discussion and action on final policy direction for establishing requirements, procedures and fees to administer a new program under a Proposed Chapter 18.40 (Vacant Buildings), Title 18 (Building and Construction), of the El Paso City Code; for amending Chapter 18.50 (Property Maintenance Code) of the El Paso City Code to provide for local amendments; and for amending Chapter 2.38 (Building and Standards Commission) of the El Paso City Code to allow appeals of the Proposed Vacant Building Registration and Requirements by the Commission. **(All Districts)**
[City Manager – Development & Infrastructure, Patricia D. Aduato, (915) 541-4853]

17C. 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.**

- 17C1.** An Ordinance amending Title 18 (Building and Construction), to add Chapter 18.40 (Vacant Buildings), of the El Paso City Code, to provide requirements, procedures and fees for the registration and inspection of vacant buildings in the City; to define terms; to provide defenses, an appeal process, and insurance requirements; to provide for the revocation of a certificate of occupancy; to require emergency information signage on vacant buildings; to provide a severability clause; and to create a penalty, the penalty being as provided in Section 18.40.130 (Penalty) of the El Paso City Code. **(All Districts)**
[City Manager – Development & Infrastructure, Patricia D. Aduato, (915) 541-4853]

17C2. An Ordinance adopting the 2009 Edition of the International Property Maintenance Code and amending Title 18 (Building and Construction), Chapter 18.50 (Property Maintenance Code), of the El Paso City Code, to provide for local amendments to the 2009 International Property Maintenance Code, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
 [Development Services/Building Permits & Inspections, Victor Morrison-Vega, (915) 541-4556]

17C3. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.38 (Building and Standards Commission), of the El Paso City Code, to revise the powers of the Commission to hear appeals filed pursuant to Chapter 18.40 of the City Code relating to Vacant Building Registration and Requirements. **(All Districts)**
 [Development Services/Building Permits & Inspections, Victor Morrison-Vega, (915) 541-4556]

PUBLIC HEARING WILL BE HELD ON AUGUST 24, 2010, FOR ITEMS 17C1 – 17C3

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

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. Discussion and action regarding City of El Paso vs. Chama Lounge and Gallery, Inc. d/b/a Chama Lounge, Luis Sanchez II, and Kevin C. Devonish; Cause No. 2008-126 (551.071) [City Attorney's Office, Marie Taylor, (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/>