

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
MELINA CASTRO, 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 12, 2008
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 9:02 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, Melina Castro, Rachel Quintana, and Steve Ortega. Late arrival: Eddie Holguin, Jr. at 9:07 a.m. Absent: Beto O'Rourke requested to be excused. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

- 1. 90TH ANNUAL SOUTHWEST DISTRICT KIWANIS CONVENTION**
- 2. BORDER CHORDER WEEK IN EL PASO**

RECOGNITION

**CITY OF EL PASO STREET DEPARTMENT RECEIVES
"SPECIAL ACHIEVEMENT IN GIS AWARD"**

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.

The following members of the public commented:

1. Mr. Michael Towne
 2. Mr. Richard Schecter
 3. Mr. Gerald Miller
 4. Mr. Jerry Thiedt
 5. Ms. Lisa Turner
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ITEMS TAKEN TOGETHER:

1. EL PASO WATER UTILITIES

Presentation on the Program Elements and Schedule, the Public Participation Process planned to guide the development, and the formation of an Advisory Committee for the Stormwater Master Plan for the City of El Paso and Extraterritorial Jurisdiction.

Ms. Karen Stearns, Project Manager for URS, and Ms. Patricia Tennyson, Senior Vice President of Katz and Associates, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Acosta, Quintana, Holguin, Byrd, Castro, and Ortega commented.

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

Mr. Edmund G. Archuleta, President/Chief Executive Officer of El Paso Water Utilities Public Service Board, commented.

NO ACTION was taken on the item.

ADDITION TO THE AGENDA

1. MAYOR AND COUNCIL

Discussion and action requesting that the Public Service Board (PSB) reimburse the City of El Paso for the clean up of storm water collected on the City streets.

Ms. Patricia Aduato, Deputy City Manager of Development and Infrastructure Services, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Holguin, Byrd, Acosta, Castro, Lilly, Quintana, and Ortega commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Daryl Cole, Street Director
- 3. Assistant Fire Chief Manuel Chavira

Mr. Edmund G. Archuleta, President/Chief Executive Officer of El Paso Water Utilities Public Service Board, and Mr. John Balliew, Vice President of Operations and Technical Services of EPWU PSB, commented.

The following members of the public commented:

- 1. Mr. Jerry Thiedt
- 2. Mr. Gerald Miller
- 3. Ms. Lisa Turner

Motion made by Representative Holguin, seconded by Representative Quintana, and carried to **DIRECT** the City Manager to request reimbursement after each storm from the PSB to pay for services.

AYES: Representatives Acosta, Castro, Quintana, and Holguin

NAYS: Representatives Lilly, Byrd, and Ortega

ABSENT: Representative O'Rourke

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CONSENT AGENDA

1ST MOTION

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Acosta, and 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, Castro, Quintana, and Ortega

NAYS: None

ABSTAIN: Representative Holguin

ABSENT Representative O'Rourke

2ND MOTION

Motion made by Representative Holguin, seconded by Representative Quintana, and unanimously carried to **RECONSIDER** the Consent Agenda.

3RD AND FINAL MOTION

Motion made by Representative Ortega, seconded by Representative Holguin, 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, Castro, Quintana, Holguin, and Ortega

NAYS: None

ABSENT Representative O'Rourke

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2. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of August 5, 2008.

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3. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Beto O'Rourke from the Regular Council Meeting of August 12, 2008.

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4A.

***RESOLUTION**

That the City Manager be authorized to sign a Concession Agreement by and between the City of El Paso and CheckPoint Mailers, Inc. ("Concessionaire") for the operation and maintenance of a self-service security checkpoint mailing concession at the El Paso International Airport.

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4B.

***RESOLUTION**

WHEREAS, on March 25, 2008, the City Council of the City of El Paso resolved to place a lien in the amount of \$762.27 on the property located at:

Tract 2-D (2.284 ACRES), U.S. Government Parcel #10 Subdivision, El Paso,
El Paso County Texas, Parcel # U310-999-0010-2700

in accordance with Chapter 9.04 of the El Paso City Code; and

WHEREAS, the City Council has now been informed that the lien had been placed in error;

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

That the City Council hereby rescinds its action of March 25, 2008, reflected in Document No. 20080024767 resolving to place a lien on the property located at Tract 2-D (2.284 ACRES), U.S. Government Parcel #10 Subdivision, El Paso, El Paso County, Texas, and instructing the City Clerk to file a copy of that Resolution as notice of that Lien.

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5A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Yusuf Elias Farran to the Ethics Review Commission by Representative Emma Acosta, District 3.

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5B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Tom Brown to the Public Utility Regulation Board by Representative Rachel Quintana, District 5.

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5C. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Robert Borunda to the Construction Board of Appeals by Representative Rachel Quintana, District 5.

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6A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Alfredo Borrego to the Public Utility Regulation Board by Representative Emma Acosta, District 3.

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6B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Luis M. Ruiz to the History Museum Advisory Board by Representative Emma Acosta, District 3.

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6C. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Santos Gutierrez, Jr. to the City Accessibility Advisory Committee by Representative Emma Acosta, District 3.

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6D. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Bart Kennedy to the PTSES Advisory Board, by Representative Emma Acosta, District 3.
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7. PURCHASING REQUEST TO ISSUE PURCHASE ORDER, ETC.

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager to extend the terms of Contract 2005-198R (Comprehensive Loss Control Program) for one additional year with Risk Insurance Management Consultants, Inc., pursuant to the provisions to an award approved by City Council on August 16, 2005. Total yearly amount not to exceed \$78,000. Contract period is August 16, 2008, thru August 15, 2009.

Department: Insurance and Benefits/OMB
Options: One [of two]
Account No.: 99100255 – 45122 – 502215
Funding Source: Worker’s Compensation Insurance
Amount Not To Exceed: \$78,000

Mayor Cook commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Irene Morales, Risk Manager
- 3. Mr. David Almonte, Director of Office of Management and Budget

Ms. Lisa Turner, citizen, commented.

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8A. BID

*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No. 2008-148 (Spanish Language Library Materials) to Brodart Co. By: Nubro Inc., General Partner, for a total estimated award of \$375,000.

Department: Library
Award to: Brodart Co. By: Nubro Inc., General Partner
Williamsport, PA
Items: All
Annual Estimated Amount: \$125,000
Option: 2 years
Account No.: 53010201 – 503101 – 01101
Funding Source: El Paso Public Library Department
Total Estimated Award: \$375,000

This is a thirty-six month requirements type contract.

The cost under this requirements 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 Departments of Financial Services, Purchasing Division, and Library recommend award to the vendor offering the best value bid.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Ms. Carol Brey-Casiano, Director of Library, commented.

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8B. BID

*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No. 2008-210 (Environmental Laboratory Services for Municipal Solid Waste Facilities) to TestAmerica Laboratories, Inc., for a total estimated award of \$120,000.

Department: Environmental Services
Award to: TestAmerica Laboratories, Inc.
North Canton, OH
Items: All
Annual Estimated Amount: \$40,000
Option: 2 years
Account No.: 34010296 – 502204 – 40403
Funding Source: Environmental Services
Total Estimated Award: \$120,000

This is a thirty-six month requirements type contract.

The cost under this requirements 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 Departments of Financial Services, Purchasing Division, and Environmental Services recommend award as indicated to the vendor offering the best value bid.

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8C. BID

*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No. 2008-202 (Landfill Gas Blower and Flare Equipment) to LFG Specialties, LLC, for a total amount of \$173,020.

Department: Environmental Services
Award to: LFG Specialties, LLC
Findlay, OH
Item: Base Bid 1-3, 5-6, and O1
Account No.: 34010296 – 502204 – 40403
Funding Source: Environmental Services
Total Award: \$173,020

This is a fixed-price, single (one-time) purchase type contract for Landfill Gas Blower and Flare Equipment.

The Departments of Financial Services, Purchasing Division, and Environmental Services recommend award to the sole bidder as indicated.

Mayor Cook and Representative Byrd commented.

Ms. Ellen Smyth, Director of Environmental Services, commented.

Ms. Lisa Turner, citizen, commented.

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9A. – 9B.

9E. – 9J. INTRODUCTIONS

Motion made by Mayor Pro Tempore Byrd, seconded by Representative Acosta, 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.

- 9A.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.10 (Residential Code), Section 18.10.310 (Appendix G, Swimming Pools, Spas, and Hot Tubs) of the El Paso City Code to establish standards for swimming pools, spas, and hot tubs by adding barrier requirements for residential swimming pools, spas, and hot tubs and entrapment protection for residential swimming pool and spa suction outlets; providing for a one year period to bring certain existing swimming pools, spas, and hot tubs into compliance; with penalties not to exceed \$2,000 per day per violation as provided in Section 18.02.107 of the El Paso City Code.

Mayor Cook and Representative Holguin commented.

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

- 9B.** An Ordinance amending Title 2 (Administration and Personnel) to amend Chapter 2.110 (City Organizational Structure); to revise the structure of the Departments known as the City Manager's Office and Development Services; authorize the City Manager to designate departments and staff to perform duties pursuant to City ordinances; and to delete duplicate provisions relating to departmental authorization. █
- 9E.** An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places) to create Chapter 13.02 (Street and International Bridges Departments), and sections thereunder, in the El Paso City Code to create and establish the functions of the departments known as the Street Department and the International Bridges Department.
- 9F.** An Ordinance to amend Title 12 (Vehicles & Traffic), Chapter 12.78 (International Bridges), to amend Section 12.78.010 (Tolls for International Bridges), Subsection G, to change the duties from the Street Department to the International Bridges Department. The penalty being as provided in Section 12.84.010 of the El Paso City Code.
- 9G.** An Ordinance amending Ordinance numbers 011598, 011902, and 015748 for the purpose of naming the department head or designee for the City of El Paso's International Bridges Department as secretary to the International Bridge Commission.

PUBLIC HEARING WILL BE HELD ON AUGUST 19, 2008, FOR ITEMS 9A – 9B AND 9E - G

- 9H.** An Ordinance changing the zoning of a portion of Lot 2, Block 1, Whitfield Subdivision Unit Two, City of El Paso, El Paso County, Texas, and Tract 18, S.A. and M.G. Railway Company Survey No. 266, City of El Paso, El Paso County, Texas, from M-1 (Light Manufacturing) to R-3 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 9I.** An Ordinance releasing a condition placed on property by Ordinance No. 8527 which changed the zoning of a portion of Lots 20 and 23, Block B, Pioneer Subdivision, City of El Paso, El Paso County, Texas, and which imposed certain conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

9J. An Ordinance changing the zoning of a portion of Lots 20 and 23, Block B, Pioneer Subdivision, City of El Paso, El Paso County, Texas, from C-4/SC (Commercial/Special Contract) to M-2 (Manufacturing). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 2, 2008, FOR ITEMS 9H – 9J

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9C. – 9D. INTRODUCTIONS

Motion made by Representative Acosta, seconded by Mayor Pro Tempore Byrd, and carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing.

9C. An Ordinance amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments) to amend Section 9.12.125 regarding the adoption and display of fees charged under Chapter 9.12. The penalty being as provided in Section 9.12.890 of the El Paso City Code.

9D. An Ordinance amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments) to amend Section 9.12.830 (Inspection – Frequency) to establish a fee for a food establishment re-inspection. The penalty being as provided in Section 9.12.890 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON AUGUST 19, 2008, FOR ITEMS 9C – 9D

AYES: Representatives Lilly, Byrd, Acosta, Castro, Quintana, and Ortega

NAYS: None

ABSTAIN: Representative Holguin

ABSENT: Representative O'Rourke

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ITEMS TAKEN TOGETHER:

10A.

ORDINANCE 16959

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTIONS 9, 10, 15, 16, 17, AND 18, BLOCK 81, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS; AND A PORTION OF SECTIONS 11, 14, AND 19, BLOCK 81, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS; AND A PORTION OF SECTIONS 11, 12, 13, 14, 19, 20, AND 21, BLOCK 81, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS; AND A PORTION OF SECTIONS 7, 17, 18, 19, 20, AND 30, BLOCK 80, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM), PMD (PLANNED MOUNTAIN DEVELOPMENT), M-2/C (HEAVY MANUFACTURING/CONDITION) TO GMU (GENERAL MIXED-USE) AND GMU/C (GENERAL MIXED USE/CONDITION) AND APPROVING A MASTER ZONING PLAN. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Ms. Christina Valles, Development Services Senior Planner, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Byrd and Castro commented.

Mr. John Neal, City Manager's Office, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

Mr. Bill Muenchinger, Kimley-Horn & Associates, Inc., commented.

Motion duly made by Representative Castro, seconded by Representative Lilly, that the Ordinance be **ADOPTED, WITH THE AMENDMENT TO EXHIBIT B**. 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, Castro, Quintana, Holguin, and Ortega
NAYS: None
ABSENT: Representative O'Rourke

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED, WITH THE AMENDMENT TO EXHIBIT B**.

10B.

ORDINANCE 16960

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE PLAN FOR EL PASO AND THE YEAR 2025 GENERAL LAND USE MAP BY AMENDING THE SMART GROWTH PLAN FOR THE NORTHEAST AS A SPECIFIC STUDY AREA PLAN.**

Mr. Chuck Kooshian, Development Services Lead Planner, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Byrd, Castro, Ortega, and Acosta commented.

Ms. Joyce Wilson, City Manager, and Ms. Christina Valle, Development Services Senior Planner, commented.

Motion duly made by Representative Castro, seconded by Representative Acosta, 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, Castro, Quintana, Holguin, and Ortega
NAYS: None
ABSENT: Representative O'Rourke

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

10C.

ORDINANCE 16961

The City Clerk read an Ordinance entitled: **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 THE EL PASO CITY COUNCIL IN 1999, AND AS SUBSEQUENTLY AMENDED.**

Mr. Chuck Kooshian, Development Services Lead Planner, presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Castro, Acosta, and Quintana commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. Ricardo Dominguez, Metropolitan Planning Organization, and Mr. Justin Chapman, Hunt Communities, commented.

Motion duly made by Representative Castro, seconded by Mayor Pro Tempore Byrd, 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, Castro, Quintana, Holguin, and Ortega

NAYS: None

ABSENT: Representative O'Rourke

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

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The City Council Meeting **RECESSED** at 1:22 p.m. and **RECONVENED** at 2:11 p.m.

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10D.

ORDINANCE 16962

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO CINCO PUNTOS PRESS PERMITTING THE ENCROACHMENT OF CANOPIES ALONG A PORTION OF PUBLIC RIGHTS-OF-WAY LOCATED AT LOT 1, BLOCK 228, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, MORE COMMONLY KNOWN AS 701 TEXAS AVENUE.**

Representative Byrd commented.

Mr. Philip Etiwe, Development Review Manager, commented.

Motion duly made by Representative Lilly, seconded by Representative Castro, 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, Castro, Quintana, and Ortega

NAYS: None

ABSTAIN: Representative Byrd

NOT PRESENT FOR THE VOTE: Representatives Acosta and Holguin

ABSENT: Representative O'Rourke

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

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10E.

ORDINANCE 16963

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING THE ASSIGNMENT OF A SPECIAL PRIVILEGE GRANTED TO EL PASO 221, L.P. A TEXAS LIMITED PARTNERSHIP BY ORDINANCE NO. 014526 TO MADISON RIVER INVESTMENTS L.L.C. PERMITTING THE ENCROACHMENT OF AN EXISTING UNDERGROUND TUNNEL ONTO PORTIONS OF PUBLIC RIGHTS-OF-WAY WITHIN A PORTION OF KANSAS STREET BETWEEN MILLS AVENUE AND TEXAS AVENUE.**

Representative Quintana commented.

Mr. Philip Etiwe, Development Review Manager, commented

Motion duly made by Mayor Pro Tempore Byrd, seconded by Representative Ortega, 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, Castro, Quintana, and Ortega
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Acosta and Holguin
ABSENT: Representative O'Rourke

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

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11.

ORDINANCE 16964

The City Clerk read an Ordinance entitled: **AN ORDINANCE SETTING THE FEE SCHEDULE FOR THE FIRE DEPARTMENT MEDICAL SERVICES SYSTEM.**

Representative Castro commented.

Ms. Joyce Wilson, City Manager, and Assistant Fire Chief Manuel Chavira commented.

Motion duly made by Mayor Pro Tempore Byrd, seconded by Representative Lilly, 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, Castro, Quintana, and Ortega
NAYS: None
ABSTAIN: Representative Acosta
NOT PRESENT FOR THE VOTE: Representative Holguin
ABSENT: Representative O'Rourke

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

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12. **PUBLIC HEARING – OFFICE OF MANAGEMENT AND BUDGET**

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **CLOSE THE PUBLIC HEARING** on the Proposed Budget for the City of El Paso for Fiscal Year 2009.

NOT PRESENT FOR THE VOTE: Representative Holguin

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Lisa Turner, citizen, commented.

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13. MAYOR AND COUNCIL

Presentation by the Community Scholars titled "Think Clean, Go Green: An Inventory of El Paso's Environmental Issues".

Ms. Abbey Cohen, Ms. Cynthia Cintron, Ms. Sonia Alvarez, and Mr. Michael Hwang, Community Scholars, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Quintana, Acosta, Ortega, and Byrd commented.

Mr. Jose Landeros, Community Scholars supervisor, commented.

Ms. Lisa Turner, citizen, commented.

NO ACTION was taken on the item.

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14. ENGINEERING

Presentation of the list of eligible applications for the Neighborhood Traffic Management Program.

Mr. Andrew Howard Kimley-Horn Associates, Inc., presented a PowerPoint presentation (on file in the City Clerk's office).

Mayor Cook and Representatives Byrd, Ortega, Quintana, Castro, Acosta, Holguin, and Lilly commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Kimberly Forsyth, Engineering Senior Planner
- 3. Mr. Ted Marquez, Engineering Division Manager
- 4. Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

NO ACTION was taken on the item.

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EX1. Claim of Holly C. Johnson, Our File No. 08-C-149. (551.071)

*Motion made, seconded, and unanimously carried to **DELETE** the item.
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Motion made by Representative Ortega, seconded by Mayor Pro Tempore Byrd, and unanimously carried to **ADJOURN** this meeting at 3:27 p.m.

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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk