

OSCAR LEESER
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR COUNCIL MEETING

**AUGUST 20, 2013
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.**

AND

**LEGISLATIVE REVIEW MEETING OF THE WHOLE
300 N. CAMPBELL
MAIN CONFERENCE ROOM, 2ND FLOOR
AUGUST 19, 2013
9:00 a.m.**

NOTE:

- The City Council Agenda has been reorganized as directed by City Council on June 25, 2013 to allow for a **Call to the Public at 12:15 p.m. – 12:45 p.m.** Requests to speak must be received by **9:00 a.m.** on the date of the meeting. Three minutes may be allowed for each speaker. Thirty minutes in total will be devoted for Call to the Public.
- 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.
- If items are scheduled for the Executive Session, the Council will move to Executive Session at the end of the Regular Agenda items or after Call to the Public, whichever comes first or as determined by the Presiding Officer.

ROLL CALL

INVOCATION BY CIMA CHAPLAIN CARLOS CLUGY-SOTO

PLEDGE OF ALLEGIANCE

**JACK THOMAS NILAND
JUDGE WESSON NILAND
MADELINE NORTH
GARRETT NORTH
TATE JERNIGAN
LUKE JERNIGAN
ADDISON STEWART**

MAYOR'S PROCLAMATION

WOMEN'S EQUALITY DAY

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 13, 2013, and the Legislative Review Meeting of the Whole of August 12, 2013.

[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. FOR NOTATION ONLY:

3A. Amendments to Human Resources policies and procedures that were removed from Ordinance 8065 (Civil Service Rules and Regulations) and placed into personnel policies following the March 6, 2012 amendments to Ordinance 8065 - (Application Policy; Certification Policy; Classification Policy; Conditions of Employment Policy; Contact Information Policy; Exam Ratings Policy; Exam Standards Policy; Promotional Process Policy; Regular Part-Time Employees Policy; Temporary Appointments Policy; Temporary & Provisional Appointments Policy; Working Out-of-Classification Policy). Said amendments are being made to conform to changes to Article VI of the City Charter as approved by voters at the May 13, 2013 general election. **(All Districts)**

[Human Resources, Linda Ball Thomas, (915) 541-4509]

3B. Accept the donation of \$500 from Fred Loya Insurance Agency Inc. for Movies in the Park in District 5. [Representative Michiel R. Noe, (915) 541-4701]

REGULAR AGENDA - INTRODUCTIONS

4. 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.**

4A. An Ordinance amending Ordinance 8064 (Classification and Compensation Plan), to amend the Ordinance to comport with the recent amendments to the Charter of the City of El Paso, Texas, and to make other non-substantive revisions to various sections of the Ordinance. **(All Districts)**

[Human Resources, Linda Ball Thomas, (915) 541-4509]

- 4B.** An Ordinance amending Ordinance 8065 (Civil Service Rules and Regulations), to amend various sections of Rule Nos. 2, 4, 5, 6, 8 and 10 to comport with the recent amendments to the Charter of the City of El Paso, Texas; to delete Rule No. 3 and mark as "RESERVED;" to amend Rule No. 6 to correspond with City personnel policies; and to correct a scrivener's error in Rule No.2.
(All Districts) [Human Resources, Linda Ball Thomas, (915) 541-4509]

PUBLIC HEARING WILL BE HELD ON AUGUST 27, 2013, FOR ITEMS 4A – 4B

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 300 N. Campbell, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

5. CITY DEVELOPMENT:

- 5A.** An Ordinance changing the zoning of a portion of Lot 2, Block 9, Canutillo Industrial Park, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-3 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property owner: Abram Wiebe Dyck and Aganetha Fehr Hildebrand, Location: south of Desert Boulevard and north of Los Mochis Drive, PZRZ11-00043 **(District 1)**
 [City Development, Arturo Rubio, (915) 541-4633]
- 5B.** An Ordinance changing the zoning of Tracts 7 and 7A, Section 16, Block 80, Township 1 Texas and Pacific Railway Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property owner: Direct Home Sales Inc., Location: south of Patriot Freeway and east of Mesquite Hill Drive, PZRZ13-00019. **(District 4)** [City Development, Arturo Rubio, (915) 541-4633]
- 5C.** An Ordinance changing the zoning of Tract 1-D-1, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Album and east of McRae. Property Owner: LUCMOR, LLC. PZRZ13-00017 **(District 3)**
 [City Development, Michael McElroy, (915) 541-4238]
- 5D.** An Ordinance granting Special Permit No. PZST13-00010, to allow for a Ground Mounted 55' Personal Wireless Service Facility on the property described as Lots 11-12, Block 34, Campbell's Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1100 S. Oregon Street. Property Owner: Silva Diversified, Inc. PZST13-00010
(District 8) [City Development, Andrew Salloum, (915) 541-4633]
- 5E.** An Ordinance granting Special Permit No. PZST12-00026, to allow for the expansion of a major utility facility for El Paso Electric Company on the property described as a portion of Block 7, Celina Plaza, City of El Paso, El Paso County,

Texas, pursuant to Section 20.10.730 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1165 Sunmount Drive. Applicant: El Paso Public Service Board (PSB). PZST12-00026 **(District 3)** [City Development, Arturo Rubio, (915) 541-4633]
 [POSTPONED FROM 07-16-2013 AND 07-30-2013]

REGULAR AGENDA – PUBLIC HEARINGS AND OTHER BUSINESS **RELATED TO FY2014 BUDGET**

6. AIRPORT:

- 6A.** An Ordinance amending Ordinance Number 017862 which established operating procedures and set fees for Foreign-Trade Zone No. 68 and to allow the revisions to Zone Schedule No. 1, Rates, Rules, Charges and Regulations applying at Foreign Trade Zone No. 68, El Paso, Texas, to replace in its entirety Article One, formerly known as “Privileges Of Foreign Trade Zones” with a new Section called “Scope of Foreign Trade Zones”; to make other changes to be consistent when referring to defined terms throughout the Tariff Schedule; to remove Article II for redundancy; to update Section 3.01 regarding merchandise permitted in a zone; to update Section 3.07 regarding exclusion from Zone of Goods or Process Of Treatment; to update the names of required federal forms; to update the admission language in Section 4.17 to allow for blanket admissions; to amend Section 4.27 to require compliance with special orders of the Foreign-Trade Zones Board; to add Section 4.37 regarding grantee liability; to add a fee for alterations to a zone site and to change certain fees in Article V; to add language to amend certain definitions and to add other definitions; and to add Appendices D and E. **(All Districts)**
 [Airport Foreign Trade Zone, Joe Quinonez, (915) 771-6015]
- 6B.** Discussion and action regarding a Resolution that the El Paso City Council approves the list of projects on Exhibit “A” totaling approximately \$139,375,803, referenced as the “El Paso International Airport Proposed Five Year Capital Improvement Plan”, as the established list of Airport Capital Improvement Program projects for FY 2014 through FY 2018 and to authorize the use of a combination of Certificates of Obligation, revenue bonds, or other sources to fund the Airport’s Capital Program pursuant to the City’s Debt Management Policy and that the City Manager be authorized to establish funding sources and execute any and all documents necessary for the execution of these projects.
(All Districts) [Airport, Monica Lombraña, (915) 780-4724]

7. CITY DEVELOPMENT:

- 7A.** An Ordinance amending Title 1 (General Provisions), Chapter 1.04 (General Provisions), Section 1.04.070 (Vesting of Projects), of the El Paso City Code, to authorize a fee for vesting Application Permits, the penalty being as provided in Section 1.08 (General Penalty) of the El Paso City Code. **(All Districts)**
 [City Development, Mathew McElroy, (915) 541-4193]
- 7B.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), Subsection 18.02.106.28 (Starting Work Without a Permit) of the El Paso City Code, to increase the amount of the Permit For Starting Work

Without A Permit. The penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)**
[City Development, Mathew McElroy, (915) 541-4193]

8. DEPARTMENT OF TRANSPORTATION:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.56 (Parking Meters), Section 12.56.020F (Installation) to establish the days and times when parking meter fees shall apply, to allow the Director of the Department of Transportation to recommend exceptions and to add exceptions; the penalty being as provided in Section 12.84.010 of the El Paso City Code. **(Districts 1 and 8)**

[Department of Transportation, Keith Bennett, (915) 621-6882]

9. FINANCIAL SERVICES:

An Ordinance amending Title 2 (Administration And Personnel), to amend Chapter 2.110 (City Organizational Structure) of the City Code to create and establish the duties of the Chief Financial Officer; to create and establish the duties of the Purchasing and Strategic Sourcing Department and the Office of the Comptroller. **(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

10. ZOO:

An Ordinance amending Title 13 (Streets, Sidewalks And Public Places), Chapter 13.25 (El Paso Zoo), Section 13.25.010 (El Paso Zoo Fees) of the El Paso City Code to update the fees authorized to be charged by the City through the El Paso Zoo, which will be set by the City's Budget Resolution or other duly authorized Resolution. **(All Districts)**

[Zoo, Steve Marshall, (915) 521-1850]

PUBLIC HEARINGS AND OTHER BUSINESS
RELATED TO FY2014 BUDGET AND THE FY2014 TAX LEVY

11. CITY MANAGER:

11A. Public Hearing and discussion and action on a Resolution that the Proposed Budget, as amended, for the City of El Paso, filed by the City Manager with the City Clerk on June 27, 2013, is hereby approved and adopted by the City Council as the Annual Budget for the Fiscal Year 2014 for the City of El Paso, Texas.

(All Districts) [Office of Management and Budget, Lynly Leeper, (915) 541-4777]

11B. Discussion and action to ratify the Property Tax Increase reflected in the Annual Budget for Fiscal Year 2014 for the City of El Paso. **(All Districts)**

[Office of Management and Budget, Lynly Leeper, (915) 541-4777]

11C. An Ordinance levying FY 2014 taxes. **(All Districts)**

[Office of Management and Budget, Lynly Leeper, (915) 541-4777]

EL PASO COUNTY 911 DISTRICT FY2014 BUDGET

11D. Discussion and action to approve the El Paso County 911 District FY 2014 Budget to be presented by Mary Kozak, Director. **(All Districts)**

[Office of Management and Budget, Lynly Leeper, (915) 541-4777]

REGULAR AGENDA – PUBLIC HEARING / OTHER BUSINESS

12. FINANCIAL SERVICES:

An Ordinance amending Ordinance No. 016605 which originally authorized the issuance of El Paso Public Improvement District No. 1 (Thunder Canyon) Special Assessment Revenues Bonds, Series 2007, to allow a modification in the method by which debt service coverage is calculated. **(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

13. PARKS AND RECREATION:

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, Tracy Novak, (915) 541-4259]

14. COMMUNITY AND HUMAN DEVELOPMENT:

Discussion and action on a Resolution that City Council adopt policies and procedures for the 40th Year (2014-2015) Community Development Block Grant (CDBG) Program, the 2014-2015 Emergency Solutions Grant (ESG) Program and the 2014-2015 Housing Opportunities for Persons with AIDS (HOPWA) Program, all such policies and procedures attached thereto as A through K; that City Council establish September 12, 2013 as the deadline for the submission of Letters of Intent from CDBG Public Service, ESG and HOPWA agencies; that City Council establish October 24, 2013 as the deadline for submission of all citizen, City Representative and Neighborhood Services requests; that City Council establish October 28, 2013 as the deadline for submission of all CDBG Public Service, ESG and HOPWA application packets; and that City Council establish December 12, 2013 as the deadline for the submission of all 2014-2015 City Department, Fair Housing, Microenterprise Technical Assistance, Non-Profit/Governmental Entity Public Facility and Volunteer Housing Rehabilitation application packets. **(All Districts)**

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

15. MAYOR AND COUNCIL:

Discussion on a Presentation to “Brighten El Paso” by Alex Renteria, Brandon Mina, and Samuel Nava. [Representative Cortney Niland, (915) 541-4268]

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

12:15 p.m. – 12:45 p.m. CALL TO THE PUBLIC – PUBLIC COMMENT

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

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

NOTICE 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/>