

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**

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**August 24, 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, Fire, & CIMA Chaplain Sam Faraone  
Pledge of Allegiance**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

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

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

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

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

### **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.

**REGULAR AGENDA – OTHER BUSINESS****1. CITY ATTORNEY’S OFFICE:**

Discussion and action authorizing the City Manager to renegotiate with the Texas Department of Transportation the Local Advance Funding Agreement (TXDOT number: CSJ #0924-06-268) approved by the City Council Resolution dated April 25, 2006 for the re-alignment of El Paso Drive at the intersection of SH 20 (Alameda Avenue).

**(District 3)** [City Attorney's Office, Mark Shoesmith, (915) 541-4550]

**CONSENT AGENDA****2. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of August 17, 2010.

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

**3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:****4. RESOLUTIONS:**

**4A.** That the City Manager be authorized to sign Consent to Assignment by and between City of El Paso, AKAL Security, Inc. (“Assignor”) and Shetler & Associates, LLC d/b/a Shetler Security Services (“Assignee”) approving the assignment of the City of El Paso Contract No. 2008-236, Airport Security Services. **(All Districts)**

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]

[Airport, Monica Lombrana, (915) 780-4793]

**4B.** That the City Manager be authorized to sign an Interlocal Agreement with the University of Texas at El Paso Regional Geospatial Service Center to manage and oversee City of El Paso GIS functions.

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

**4C.** That the City Council approves the expenditure of additional available funding by a change order in the amount of \$85,786 to Vistacon, Inc. for additional construction costs of the EPIA East Terminal Expansion. The change order provides for the purchase and installation of carpet for the baggage claim area, adding no days of contract time for Contract Number 2008-056. The new contract sum, including the change order approved herein, is \$9,899,001.39. (EPIA Enterprise Funds)

**(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]

**4D.** That the Mayor be authorized to sign a contract, between the City of El Paso, Texas, and Texas Tech University Health Sciences Center at El Paso (“Texas Tech”) and University Medical Center (“UMC”), whereby Texas Tech agrees to provide medical control to the City's EMS System (“EMSS”), as well as related services, for an annual estimated amount of \$110,000 for three (3) years, which total contract amount shall not exceed \$330,000, and whereby UMC agrees to the use of part of its facility as the Base Station for EMSS. Said contract to have

an effective date of September 1, 2010 and a termination date of August 31, 2013, with the option, at the City's sole discretion, to extend the contract on a month-to-month basis for a maximum of six (6) months. **(All Districts)**

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]

[Fire, Manuel Chavira, (915) 771-1002]

**4E.** That in accordance with Section 3.5 of the City Charter, as revised, the regular City Council meeting for September 7, 2010 is hereby canceled.

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

**4F.** That in accordance with Section 3.5 of the City Charter, as revised, the regular City Council meetings for November 23, 2010 and December 28, 2010 are hereby canceled. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**4G.** That the City Manager be authorized to sign the Mission Valley Visitor's Center Operating Agreement by and between the City of El Paso and the El Paso Mission Trail Association for the management and operation of the Mission Valley Transfer Center Visitor's Center, at no cost to the City. **(Districts 6 and 7)**

[Sun Metro, Jay Banasiak, (915) 534-5810]

POSTPONED FROM 08-10-10

**5. BOARD APPOINTMENTS**

**5A.** 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]

POSTPONED FROM 08-17-10

**5B.** Jane Thomas to the Zoning Board of Adjustment, as a regular member, by Representative Ann Morgan Lilly, District 1.

[Representative Ann Morgan Lilly, (915) 541-4886]

**6. REQUEST TO ISSUE PURCHASE ORDER, ETC.:**

That the City Manager be authorized to sign a Services Agreement by and between the City of El Paso and Outsource Connection for staffing services to answer non-emergency calls dialed to the 911 call center for a temporary interim period of four (4) months until the City bids and awards the services. The total contract amount is increased to an amount not to exceed \$175,000. The City Manager will have the option to extend the contract term for up to an additional three (3) months.

Department:	Fire
Funding Source:	General Fund- Temporary Service Contracts
Total Estimated Amount:	\$175,000.00
Reference No.:	2010-282
<b>Districts:</b>	<b>All</b>

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]

[Fire Department, Manuel Chavira, (915) 771-1002]

**7. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2010-161 (Security Guard Services – El Paso Fire Department) to Ruiz Protective Services, Inc. for a three year initial term estimated award of \$217,149.24. Total estimated award for the five year award is \$361,915.40.

Department:	Fire
Award to:	Ruiz Protective Services, Inc. El Paso, Texas
Items:	All
Initial Term:	Three Years
Option to Extend	Two Years
Annual Estimated Amount:	\$72,383.08
Initial Term Estimated Award:	\$217,149.24 (3 years)
Total Estimated Award:	\$361,915.40 (5 years)
Funding Source:	General Fund - Security Contracts
<b>Districts</b>	<b>All</b>

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.

Financial Services, Purchasing Division, and Fire Department recommend award to the bidder offering the best value bid.

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]

[Fire, Pat Dominguez, (915) 771-1045]

## 8. BIDS:

**8A.** The award of Solicitation No. 2010-242 [Coal-Tar Pavement Sealer (Airport Grade)] to SYH, LLC dba SealMaster-Albuquerque for a three year initial term estimated award of \$349,920. Total estimated award for the five year award is \$583,200.

Department:	Aviation
Award to:	SYH, LLC dba SealMaster-Albuquerque Albuquerque, NM
Items:	All
Option to Extend:	Two Years
Annual Estimated Amount:	\$116,640
Initial Term Estimated Award:	\$349,920 (3 years)
Total Estimated Award:	\$583,200 (5 years)
Funding Source:	Airport Operating Funds
<b>Districts:</b>	<b>All</b>

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.

Financial Services, Purchasing Division, and Aviation Department recommend award to the sole bidder as indicated.

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]

[Airport, Monica Lombrana, (915) 780-4793]

- 8B.** The award of Solicitation No. 2010-228 for the EPIA – Customs Building Roof Replacement, to Access Remodeling & Construction for a total estimated amount of \$91,450.

Department: Engineering  
 Award to: Access Remodeling & Construction  
 Base Bid: \$91,450  
 Total Estimated Award: \$91,450  
 Funding Source: Airport Enterprise Fund  
**Districts: All**

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering Department recommends award as indicated to the lowest responsible bidder.

[Engineering, R. Alan Shubert, (915)541-4423]

**9. BUDGET TRANSFER:**

BT2010-1396 Convention & Performing Arts Center

Approve corresponding budget transfer in order to align revenue and appropriations based on updated projections resulting in additional revenues and expenses in events activity.

Increase \$200,000 to Management Consult Services

Increase \$200,000 to Sales to the Public

**(All Districts)** [Office of Management and Budget, David Almonte, (915) 541-4777]

**REGULAR AGENDA - INTRODUCTIONS**

**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 the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of The Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to downgrade Emerald Park Drive, from a minor arterial to a collector arterial, north of the proposed extension of Mark Twain Avenue and south of Eastlake Boulevard. **(East ETJ)** [Development Services/Planning, Melissa Granado, (915) 541-4730]
- 10B. An Ordinance amending Ordinance No. 012393 which granted a special privilege to the El Paso Electric Company, owner, and El Paso Parking Inc., Lessee, to permit off-street parking within a portion of Rim Road right-of-way, by extending the term ten years, and revising the consideration, notification and indemnification provisions. SP-9558C **(District 1)**  
[Engineering/Traffic Division, Mirian Spencer, (915) 541-4482]
- 10C. 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) (Needs Assessment Scholarship Program) to the El Paso City Code to Broaden the Applicability of the Multiple Child Discount and to provide authorization for a Needs Assessment Scholarship Program. **(All Districts)**  
[Parks and Recreation, Nanette Smejkal, (915) 541-4331]

**PUBLIC HEARING WILL BE HELD ON AUGUST 31, 2010, FOR ITEM 10A – 10C**

- 10D. An Ordinance changing the zoning of a portion of Tract 8J, Block 42, Ysleta Grant, City of El Paso, El Paso County, Texas from R-4 (Residential) to S-D (Special Development), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 327 S. Zaragoza Road. Property Owner: Juan and Teresa Ceballos. ZON10-00041 **(District 6)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 14, 2010, FOR ITEMS 10D**

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 BIDS, CONTRACTS, PROCUREMENTS**

**11. ENGINEERING:**

Discussion and action on the award of Solicitation No. 2010-255, CSJ 0924-06-310 for the Traffic Signal Upgrades 9 Locations to Medlock Commercial Contractors, LLC for a total estimated amount of \$1,562,223.45.

Department:	Engineering
Award to:	Medlock Commercial Contractors, LLC
Base Bid:	\$1,562,223.45
Total Estimated Award:	\$1,562,223.45
Funding Source:	TxDOT Surface Transportation Program (STP)

**Districts:** 1,2,3,8

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering Department recommends award as indicated to the lowest responsible bidder.

[Engineering Department, R. Alan Shubert, (915) 541-4423]

**12. STREETS:**

**12A.** Discussion and action on a Resolution that the Purchasing Manager is authorized to notify H. Repair Solutions, Inc., of El Paso, Texas, that the City is terminating Contract No. 2010-152 for default pursuant to the provisions and requirements of Section 8B of the Contract Clauses due to contractor's failure to provide services at the bid price offered and that the termination shall be effective as of August 17, 2010. **(All Districts)**

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]

[Streets, Daryl W. Cole, (915) 621-6750]

POSTPONED FROM 08-17-10

**12B.** Discussion and action on the award of Solicitation No. 2010-237 (Herbicide Spraying) to Evergreen Lawn Service for a two year initial term estimated award of \$723,934.82. Total estimated award for the four year award is \$1,447,869.64.

Department:	Street
Award to:	Evergreen Lawn Service
	El Paso, TX
Items:	All
Initial Term:	2 Years
Option to Extend:	2 Years
Payment Terms:	2%10N30
Annual Estimated Amount:	\$361,967.41
Initial Term Estimated Award:	\$723,934.82 (2 years)
Funding Source:	Government Operations – Groundkeeping
	Contracts
Total Estimated Award:	\$1,447,869.64 (4 years)
<b>Districts:</b>	<b>All</b>

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.

Financial Services - Purchasing Division and Street Department recommend award as indicated to Evergreen Lawn Service, the bidder offering the best value bid.

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]

[Streets, Daryl W. Cole, (915) 621-6750]

POSTPONED FROM 08-17-10

### **REGULAR AGENDA – PUBLIC HEARINGS**

#### **13. DEVELOPMENT AND INFRASTRUCTURE:**

- 13A.** 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]

- 13B.** 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]

- 13C.** 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]

#### **14. DEVELOPMENT SERVICES:**

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

[Development Services/Planning Division, Melissa Granado, (915) 541-4730]

**15. TAX OFFICE:**

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]

**16. ENVIRONMENTAL SERVICES:**

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]

**REGULAR AGENDA – OTHER BUSINESS****17. MAYOR AND COUNCIL:**

Reconsideration of discussion and action on Settlement Offer and Agreement with Waste Connections, Inc. (related to the April 27, 2004 Solid Waste Disposal and Operating Agreement) and related documents. **(All Districts)**  
[Representative Carl Robinson, (915) 541-4400]

**18. AIRPORT:**

Discussion and action on a Resolution 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 No. 3-48-0077-030-2010 - Extension of Runway 8R26L (construction phase); 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 has been reviewed and approved by the City Attorney's Office: provided that such authorization shall include the ability to accept and sign multiple agreements and documents, as the FAA grant may be issued in various disbursements. The total grant amount shall include a federal share of \$7,563,087. and a local share of \$7,599,040. **(All Districts)**  
[Airport, Monica Lombrana, (915) 780-4793]

**19. COMMUNITY AND HUMAN DEVELOPMENT:**

Discussion and action on a Resolution that City Council adopt policies and priorities for the 37th Year (2011-2012) Community Development Block Grant (CDBG) Program, the 2011-2012 Emergency Shelter Grant (ESG) Program and the 2011-2012 Housing

Opportunities for Person with AIDS (HOPWA) Program, all such policies and priorities that City Council establish September 16, 2010 as the deadline for the submission of Letters of Intent from CDBG Public Service, ESG, HOPWA and Neighborhood Revitalization Strategy Area (NRSA) Partnership agencies; that City Council establish October 28, 2010 as the deadline for submission of all City Representative requests and citizen request forms; that City Council establish November 1, 2010 as the deadline for submission of all CDBG Public Service, ESG and HOPWA application packets; that City Council establish December 16, 2010 as the deadline for the submission of all 2011-2012 City Department, Code Enforcement, Economic Development, Housing (Fair Housing and Volunteer Housing Rehabilitation), Interim Assistance and Public Facility application packets; and that City Council establish January 10, 2011 as the deadline for submission of all NRSA Partnership application packets.

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

## 20. **ECONOMIC DEVELOPMENT:**

Discussion and action on the infill development incentive policy seeking to bring currently underutilized sites throughout the city back to productive use by providing financial and other incentives to owners of infill sites. The policy received a positive recommendation from the Economic and Community Development/Quality of Life and Tourism Legislative Review Committee and asked that two (2) options for City Council consideration be presented with the second option including a concentric approach to grant more incentives to areas closer to downtown. Thus, two options for the infill development policy are provided for consideration. The policy would apply city-wide. The original policy provides a set of incentives equally throughout the city; the alternative policy includes a tiered approach with two levels of incentives based on proximity to the downtown core with more incentives provided within this area than in other parts of the city **(All Districts)** [Economic Development, Kathryn Dodson, (915) 541-4670]

## **THE FOLLOWING ITEMS ARE RELATED TO THE PROPOSED FY 2011 OPERATING AND MAINTENANCE BUDGET AND RELATED CODE CHANGES**

### **REGULAR AGENDA – OTHER BUSINESS**

## 21. **AIRPORT:**

Discussion and action that the El Paso City Council approves the list of projects totaling approximately \$63,500,000, 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 2011 through FY 2015 and the El Paso City Council approves utilizing Revenue Bonds and other funding mechanisms pursuant to the City Debt Management Policy for the BTIP Pavement Rehab/Landscaping Project; and that the City Manager be authorized to establish the funding sources for the projects enumerated in the “El Paso International Airport Proposed Five Year Capital Improvement Plan” and make all necessary budget transfers at the appropriate times for execution of the projects.

**(All Districts)** [Airport, Monica Lombrana, (915) 780-4793]

**REGULAR AGENDA – PUBLIC HEARINGS****22. FIRE:**

An Ordinance setting the fee structure for the Fire Department Medical Services System; the penalty being as provided in Section 9.52.030 of the El Paso City Code.

**(All Districts)** [Fire, Otto Drozd, (915) 771-1000]

**23. PARKS AND RECREATION:**

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]

**24. CITY MANAGER:**

**24A.** 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]

**24B.** 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]

**24C.** 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]

**24D.** 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]

**24E.** 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]

**25. ENGINEERING:**

- 25A.** 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]
- 25B.** 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]
- 25C.** 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]
- 25D.** 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]

**26. ENGINEERING AND STREETS:**

- 26A.** 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]
- 26B.** 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]

**27. STREETS:**

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]

**28. ECONOMIC DEVELOPMENT:**

**28A.** 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]

**28B.** 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]

**29. FIRE:**

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]

**30. ENGINEERING AND ENVIRONMENTAL SERVICES:**

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]

**REGULAR AGENDA – OTHER BUSINESS / PUBLIC HEARING****31. OFFICE OF MANAGEMENT AND BUDGET:**

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 30, 2010, is hereby approved and adopted by the City Council as the Annual Budget for Fiscal Year 2011 for the City of El Paso, Texas. **(All Districts)**  
[Office of Management & Budget, David Almonte, (915) 541-4777]

**REGULAR AGENDA – PUBLIC HEARINGS****32. OFFICE OF MANAGEMENT AND BUDGET:**

An Ordinance levying FY 2011 taxes. **(All Districts)**  
 [Office of Management and Budget, David Almonte, (915) 541-4777]

**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.** 5100 El Paso Drive (551.071 and 551.072)  
 [City Attorney's Office, Mark Shoesmith, (915) 541-4550]
- EX2.** Discussion and action on legal issues relating to the contract between the City of El Paso and Waste Connections, Inc. passed and approved on April 27, 2004, Our File No. 10-C-105. (551.071) [City Attorney's Office, Kenneth Krohn, (915) 541-4550]
- EX3.** Application of El Paso Electric Company to revise its Energy Efficiency Cost Recovery Factor before the Public Utility Commission of Texas, Docket No. 38226 (551.071)  
 [City Attorney's Office, Bertha Ontiveros, (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.

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