

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

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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**August 26, 2008  
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.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: 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 – Fire Chaplain Sam Faraone  
Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. LIFE INSURANCE AWARENESS MONTH**
- 2. FIESTA DE LAS FLORES WEEK IN EL PASO**
- 3. EMERGENCY PREPAREDNESS MONTH**

### **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.

**REGULAR AGENDA – OTHER BUSINESS****1. REGIONAL 911 BOARD:**

Discussion and action on the approval of El Paso County 911 District FY2009 budget to be presented by Joseph Lorkowski, Director of El Paso County 911 District.

**(All Districts)** [911 District, Joseph Lorkowski, (915) 562-3911]

**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****2. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of August 19, 2008, and the Special City Council Meeting of August 19, 2008 (Camino Real Regional Mobility Authority). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

**4A.** That The New O.P.E.P be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portion of Ochoa Street between First Street and Paisano Drive from 7:00 p.m., Sunday, August 31, 2008, to 2:00 a.m., Monday, September 1, 2008. **(District 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]

**4B.** That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Huitt-Zollars, Inc., a Texas Corporation, to perform consulting services for a project known as "Gis Control Monument Surveying and Support" for a contract amount of \$73,880, and that the City Engineer be authorized to approve up to \$25,000 in additional services, for a total contract amount not to exceed \$98,880. **(All Districts)**  
[Engineering, Javier Reyes, (915) 541-4630]

**4C.** That the City Manager be authorized to sign a Contract of Sale between the City of El Paso and Raymond Malooly Trust and Raymond Malooly, Trustee U-D-T dated February 1, 1995, for \$140,000 for the purchase of Parcel 1: a 0.735 acre parcel of land, more or less, out of Tracts C & D, Henderson Subdivision, El Paso, El Paso County, Texas, and Parcel 2: a 0.165 acre parcel of land, more or less,

out of Tract C, Henderson Subdivision, El Paso, El Paso County, Texas, for the Bowen Street and Drainage Improvements Phase II Project. Project #PCP06FC0002D; Fund: 27263; Department: 99331117; Account: 508000. **(District 7)** [Engineering, R. Alan Shubert, (915) 541-4423]

**5. BOARD RE-APPOINTMENT:**

Henry Ng to the Construction Board of Appeals by Mayor John Cook.  
[Mayor John F. Cook, (915) 541-4145]

**6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:**

**6A.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend the current Contract 2004-193R Supplemental Life Insurance (Life, Dental, Vision, & Disability) for one additional year, pursuant to the provisions to an award approved by City Council on September 7, 2004. Contract period is September 1, 2008, through August 31, 2009.

Department: Office of Management & Budget/Insurance & Benefits  
Award to: Block Vision  
United Concordia-Dental  
Safeguard Health Plans-Dental  
ING Employee Benefits-Life  
UNUM-Disability Coverage  
Options: Two [of two]  
Account No.: 04100248 – 404469 – 45121  
Funding Source: Health Plan  
Total Est. Award: \$96,961  
**Districts: All**  
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**6B.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to SirsiDynix, the sole source developer, manufacturer, and distributor, who is the current provider of the Library Automation Software. Maintenance for the Dynix/Horizon Software can only be provided by SirsiDynix. Contract period is September 1, 2008, through August 31, 2009.

Department: Library  
Account No.: 39010351 – 502202 – 01101  
Funding Source: Information Services, Operating Account  
Total Est. Award: \$55,203.21  
Sole Source No.: 2006-196  
**Districts: All**  
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**6C.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a purchase order to Facilities Connection for furniture under Texas Multiple Award Schedule (TXMAS) contract number TXMAS-3-711050-6 (Office Furniture) in the amount of \$444,596.41 for the purchase and installation of office furniture for the new Municipal Services Center

East Administrative Building at San Paulo. The participation by the City of El Paso in Texas Procurement and Support Services (TPASS) was approved by Mayor and City Council on February 27, 2007.

Department: Environmental Services  
 Account No.: 34010289 – 508009 - 40403  
 Funding Source: Environmental Services  
 Total Amount: \$444,596.41  
 Reference No.: 2008-243  
**District: 7**  
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

## 7. BIDS:

- 7A.** The award of Solicitation No. 2008-164 (Point of Sale Software & Hardware - Furnish & Install) to US eDirect Inc., for a total award of \$90,214.

Department: Zoo  
 Award to: US eDirect  
 Huntington, NY  
 Items: 1 to 9, 01, 02, 03  
 Option: 24 months  
 Account No.: 52010245 – 508010 – 01101  
 Funding Source: Zoo General Operations/Data Processing Equipment/  
 Government Operations  
 Total Award: \$71,278 (1<sup>st</sup> Year Cost)  
 \$18,936 (Years 2 – 4 Service/Maintenance)  
**District: 3**

This is a one-time contract with the option to purchase additional quantities.

The Departments of Financial Services, Purchasing Division, and Zoo recommend award as indicated to the bidder offering the best value bid.  
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 7B.** The award of Solicitation No. 2008-204 (Mosquito Control Chemicals) to B&G Chemicals & Equipment Co., Inc., for a total estimated award of \$78,244.90.

Department: Environmental Services  
 Award to: B&G Chemicals & Equipment Co., Inc.  
 Dallas, TX  
 Items: 1 to 5 and 7 to 9  
 Annual Est. Amount: \$78,244.90  
 Option: 1 year  
 Account No.: 34010293 – 503126 – 40403  
 Funding Source: Solid Waste Management, Chemical Supplies  
 Total Est. Award: \$78,244.90  
**Districts: All**

This is a one-year 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 lowest responsive, responsible bidder. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 7C. The award of Solicitation No. 2008-216 (Mundy Park Improvements) to Allen Concrete, Inc., for a total estimated amount of \$118,296.72.

Department: Engineering  
Award to: Allen Concrete, Inc.  
El Paso, TX  
Base Bid: \$118,296.72  
Account No.: 71150069 – 508027 – 10063 – G7133CD0041  
Funding Source: Community Development Block Grant (CDBG) 33<sup>rd</sup> Year  
Total Est. Award: \$118,296.72  
District: 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 Departments of Financial Services, Purchasing Division, Engineering and, Parks and Recreation recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**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 extending the term of Ordinance 16013 which granted a Special Privilege to Mario Hernandez, Hector Cobos, Jr., Eber Martinez, Maria Cobos,

Margarita Cobos, Juan Torres, Pedro Orona, Hector Cobos, Maria Prieto, Maria Grado, Jack Kellog, Jesus Hernandez, Eusebio Coronel, Victor Ochoa, Carmen Cox, Maria Chavez, Eunise Morales, Maria Barraza, Santiago Aguilar, and Brandon Palma to encroach onto a portion of various public rights-of-way with a food-vending concession in the Downtown Area. Applicant: City of El Paso. **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 8B.** An Ordinance amending Ordinance 8065, Civil Service Rules and Regulations, Rule 1, Civil Service Commission, Section 12, to add a restriction on hiring former Commissioners as Hearing Officers and a restriction on the representation of employees by former Hearing Officers. **(All Districts)**  
[Human Resources, Linda Ball Thomas, (915) 541-4509]
- 8C.** An Ordinance amending Ordinance No. 16086, establishing deadlines and procedures for placing matters on the agenda for City Council Meeting, to amend Section 4 relating to the provision of back-up materials accompanying agenda items. [Representative Rachel Quintana, (915) 541-4701]

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 2, 2008, FOR ITEMS 8A – 8C**

- 8D.** An Ordinance changing the zoning of a portion of Tract 9, Picnic Grove Subdivision, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Alameda Avenue, north of Nevarez Road and south of Loop 375. Applicants: Antonio and Laura Mendoza. ZON08-00046 **(District 6)** [Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 8E.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), and Chapter 20.18 (Sign Regulations), Article 1, (General Provisions), and Article IV, (On-premise Sign Regulations), Section 20.18.400 (General), of the El Paso City Code to allow changeable electronic variable message and digital signs and the penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**  
[Development Services/Planning, Mathew McElroy, (915) 541-4056]

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 16, 2008, FOR ITEMS 8D – 8E**

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 Friday, 8:00 a.m. to 5:00 p.m.

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**9. FINANCIAL SERVICES:**

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend Contract 2004-088R (800MHz Trunked Simulcast Radio System/800 MHz Conventional System Fixed Equipment Maintenance) which was awarded on August 29, 2006, to

Motorola, Inc., for one additional year, from September 1, 2008, through August 31, 2009. Total award is \$710,935.08.

Department: Information Technology  
 Option: Three of five  
 Account No.: 39010352 – 502229 – 01101  
 Funding Source: Telecommunications-Office Equipment Contracts  
 Total Award: \$710,935.08  
**Districts: All**  
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

### REGULAR AGENDA – PUBLIC HEARINGS

#### 10. INTRODUCTION AND PUBLIC HEARING – FINANCIAL SERVICES:

An Ordinance authorizing the issuance of “City of El Paso, Texas, Hotel Occupancy Tax Revenue Bonds, Series 2008;” and resolve matters which are necessary to effectuate said issuance; enacting provisions incident and related to the issuance, payment, sale and delivery of such Bonds including the approval and execution of a Paying Agent/Registrar Agreement and the delegation of matters relating to the sale and issuance of the Bonds to an authorized City officer or employee within certain specified parameters.. **(All Districts)** [Bond Counsel, Paul A. Braden, (915) 351-6053]

#### 11. DEVELOPMENT SERVICES:

**11A.** An Ordinance changing the zoning of the following real property described as: Parcel 1: all of Tract 4, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas, be changed from M-3 (Unrestricted Manufacturing) to C-3 (Commercial) and imposing conditions; and, Parcel 2: all of Tracts 6 and 7, I.F. Harrison Survey No. 54 and Tract 3, J. Barker Survey No. 10, City of El Paso, El Paso County, Texas, be changed from R-3 (Residential), A-2 (Apartment) and M-1 (Light Manufacturing) to C-3 (Commercial) and imposing conditions; and, Parcel 3: a portion of Tracts 6 and 7, I.F. Harrison Survey No. 54, City of El Paso, El Paso County, Texas, be changed from R-3 (Residential) and A-2 (Apartment) to R-5 (Residential); and, Parcel 4: all of Tract 7, I.F. Harrison Survey No. 54, Tracts 3 and 3A, J. Barker Survey No. 10, and Tract 4F2B, A.F. Miller Survey No. 215, City of El Paso, El Paso County, Texas, be changed from M-1 (Light Manufacturing), R-3 (Residential), and A-2 (Apartment) to R-3A (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Interstate Highway 10 and south of Pete Payan Drive. Applicants: EPT Montecillo Development West, LP. ZON08-00017. **(District 8)** [Development Services/Planning, Arturo Rubio, (915) 541-4633]  
 POSTPONED FROM 07-01-08 AND 07-08-08 AND 07-29-08

**11B.** An Ordinance changing the zoning of Lots 11 and 12, Block 13, Sahara Subdivision, City of El Paso, El Paso County, Texas, from R-4 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5708 and 5710 Saluki Drive. Applicant: David Velasco. ZON08-00041 **(District 4)**  
 [Development Services/Planning, Mirian Spencer, (915) 541-4192]

- 11C.** An Ordinance changing the zoning of a portion of Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from R-5 (Residential) to C-2 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: east of Zaragoza Road and north of the Hueco Water Wells. Applicant: Ranchos Real IV, LTD. ZON08-00039 **(District 5)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 11D.** An Ordinance to amend Title 2 (Administration and Personnel), Chapter 2.08 (City Plan Commission), Section 2.08.010 (Creation - Membership), to restate the appointment process for the membership to be in conformity with the charter. **(All Districts)** [Development Services, Victor Q. Torres, (915) 541-4557]
- 11E.** An Ordinance to amend Title 2 (Administration and Personnel); Chapter 2.38 (Building and Standards Commission); to amend Section 2.38.020 D (Appointment), to name the Development Services Department as a department to work with the Commission. **(All Districts)**  
[Development Services, Victor Q. Torres, (915) 541-4557]
- 11F.** An Ordinance to amend Title 5 (Business Taxes, Licenses and Regulations) to amend various sections thereunder pertaining to the duties and structure of the Development Services Department, and the duties of 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)**  
[Development Services, Victor Q. Torres, (915) 541-4557]
- 11G.** An Ordinance to amend Title 9 (Health and Safety) to amend various sections pertaining to the duties and structure to the Development Services Department, and the duties of the staff; the penalty being as provided in Sections 9.12.890, 9.32.150, 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)**  
[Development Services, Victor Q. Torres, (915) 541-4557]
- 11H.** An Ordinance to amend Title 12 (Vehicles and Traffic) to amend Chapter 12.44 (Stopping, Standing, and Parking Generally), Section 12.44.190 C (Off-Street Parking Requirements for Foreign Consulates and Appurtenant Exhibition Halls), relating to the duties of the Development Services Department and staff; the penalty being as provided in Section 12.84.010 of the El Paso City Code. **(All Districts)** [Development Services, Victor Q. Torres, (915) 541-4557]
- 11I.** An Ordinance to amend Title 13 (Streets, Sidewalks, and Public Places) to amend various sections thereunder pertaining to the duties and structure of the Development Services Department, and the duties of 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)**  
[Development Services, Victor Q. Torres, (915) 541-4557]
- 11J.** An Ordinance to amend Title 15 (Public Services) to amend Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), relating to duties assigned to the Development Services Department and the duties of 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)**  
[Development Services, Victor Q. Torres, (915) 541-4557]

**11K.** An Ordinance to amend Title 17 (Housing) to amend various sections pertaining to the duties and structure of the Development Services Department, and the duties of 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)**

[Development Services, Victor Q. Torres, (915) 541-4557]

**11L.** An Ordinance to amend Title 18 (Building and Construction) to amend various sections pertaining to the duties structure of the Development Services Department, and the duties of the Building Official and other staff; and to amend Chapter 18.44 (Grading), and sections thereunder, to provide for the input and enforcement authority of the City Engineer; the penalty being as provided in Sections 18.44.240, 18.46.180, and 1.08.010 – 1.08.030 of the El Paso City Code, and throughout each of the technical codes as adopted by Title 18.

**(All Districts)** [Development Services, Victor Q. Torres, (915) 541-4557]

**12. ENVIRONMENTAL SERVICES:**

An Ordinance repealing Ordinances Nos. 015703 and 016420 for the purpose of abolishing the Brownfields Redevelopment Board. **(All Districts)**

[Environmental Services, Ellen A. Smyth, (915) 621-6719]

**13. FINANCIAL SERVICES:**

An Ordinance to amend Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.36 (Parades and Public Assemblies); to amend Sections 13.36.030 C (Permit Application) and 13.36.050 C (Costs and Fees) to clarify the provisions for refunding overpayments; the penalty being as provided in Sections 1.08.010 - 1.08.030 of the El Paso City Code.

**(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

[Development Services, Victor Q. Torres, (915) 541-4557]

**14. PARKS AND RECREATION:**

An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.77 (City Tree Board), Section 2.77.010 (Committee Established - Membership), Section 2.77.030 (Duties), Section 2.77.040 (Members Shall Hold No Other Public Office nor Receive Compensation for Their Service), Section 2.77.050 (Quorum-Final Action).

**(All Districts)** [Parks and Recreation, Joel McKnight, (915) 541-4354]

**15. POLICE DEPARTMENT:**

Public Hearing to take comment on the need to continue the City of El Paso's Juvenile Curfew Ordinance, Sections 10.20.010 through 10.20.054 of the City Code, as required by Section 370.002, Texas Local Government Code and review, discussion, and action by the City Council concerning the ordinance. **(All Districts)**

[Police Department, Tom Whitten, (915) 564-7304]

**16. ZOO:**

An Ordinance amending Title 13 (Streets, Sidewalks, Public Places), Chapter 13.25 (El Paso Zoo), Section 13.25.010 (El Paso Zoo Fees); establishing Zoo Admission, Special Events and Facility Rental Fees and creating Special Education Programs; adding

spouses of active military to Military Admission Fee Reduction; adding Special Education Program Fees; and limiting block advanced ticket purchases; with penalties not to exceed \$500 per day per violation as provided in section 13.08.180 of the El Paso City Code. **(All Districts)** [Zoo, Steve Marshall, (915) 521-1850]

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

#### **17. MAYOR AND COUNCIL:**

Discussion and action on amending the Neighborhood Traffic Management Eligibility Requirements. [Representative Susie Byrd, (915) 541-4416]

#### **18. COMMUNITY AND HUMAN DEVELOPMENT:**

**18A.** Discussion and action that City Council (1) approve Community Housing Development Organization (CHDO) HOME funding in the additional amount of \$30,000 for the new construction of an eight unit apartment building at 4421 Lawrence Avenue by The Marvelous Light Corp., as recommended by the Director of Community and Human Development and that City Council (2) authorize the City Manager to sign the First Amendment to HOME Financial Terms Contract and all appropriate closing documents necessary to secure the city's loans. Total revised cost of the project is \$625,965. **(District 2)**  
[Community and Human Development, William Lilly, (915) 541-4643]

**18B.** Discussion and action on a Resolution that City Council adopt policies and priorities for the 35th Year (2009 - 2010) Community Development Block Grant (CDBG) Program, the 2009-2010 Emergency Shelter Grant (ESG) Program and the 2009 - 2010 Housing Opportunities for Person with AIDS (HOPWA) Program - if designated as a HOPWA entitlement community by the Department of Housing and Urban Development for 2009 - 2010, all such policies and priorities attached hereto as A through O; that City Council establish September 19, 2008, as the deadline for the submission of Letters of Intent from CDBG Social Service, Neighborhood Revitalization Strategy Area (NRSA) Partnership, ESG and HOPWA Partnership agencies; that City Council establish December 1, 2008, as the deadline for submission of HOPWA Partnership and NRSA Partnership pre-application packets; that City Council establish November 3, 2008, as the deadline for submission of all CDBG Social Service and ESG application packets; that City Council establish November 14, 2008, as the deadline for submission of all City Representative requests and citizen request forms; and that City Council establish January 9, 2009, as the final deadline for the submission of all 2009-2010 City Departmental, Code Enforcement, Economic Development, Fair Housing, HOPWA Partnership, Housing Services, NRSA Partnership and Public Facility application packets. **(All Districts)**  
[Community and Human Development, William Lilly, (915) 541-4643]

**18C.** Discussion and action on a Resolution that City Council amend the City's 2005 - 2010 Consolidated Plan by adding a Neighborhood Revitalization Strategy Area (NRSA) component, attached hereto as Attachment A, Appendix 7A, Appendix 7B and Attachments 1-4, and that the City Manager be authorized to take any actions necessary to accomplish the intent of the resolution upon approval by the

City Attorney's Office and Director of Community and Human Development Department. **(Districts 2, 3, and 8)**

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

- 18D.** Discussion and action on a Resolution that the City Council approve a funding commitment to Tropicana Building Corporation in the amount of \$155,000 for the Tres Palmas Apartment Complex, subject to the award of Low Income Housing Tax Credits (LIHTC) by the Texas Department of Housing and Community Affairs. **(District 5)** [Community and Human Development, William Lilly, (915) 541-4643]
- 18E.** Discussion and action on a Resolution that the City Council approve a funding commitment to Investment Builders in the amount of \$100,000 for the Desert Villas Apartment Complex, subject to the award of Low Income Housing Tax Credits (LIHTC) by the Texas Department of Housing and Community Affairs. **(District 3)** [Community and Human Development, William Lilly, (915) 541-4643]
- 18F.** Discussion and action on a Resolution that the City Council approve funding commitments for affordable housing development programs/projects:
- 1) Summerlin Subdivision (Land Acquisition/Construction Single Family Homes) (\$1,200,000)
  - 2) Tres Suenos Subdivision (Land Acquisition/Construction Single Family Homes) (\$2,000,000)
  - 3) Rehabilitation of 43 Multi-Family Units (719 Nino Aguilera) (\$2,001,417)
  - 4) Construction Mixed Income Residential (1001 Magoffin) (\$1,500,000)
  - 5) CHDO Lower Dyer Neighborhood Revitalization New Construction (\$600,000)
- (District 2, 4, 5, & 8)** [Community and Human Development, William Lilly, (915) 541-4643]

**19. FINANCIAL AND ADMINISTRATIVE SERVICES:**

Discussion and action on a Resolution that the City Manager be authorized to sign the Articles of Agreement between the City of El Paso and the El Paso Municipal Police Officers' Association, for the contract period covering September 1, 2008, through August 31, 2012. **(All Districts)**

[Financial and Administrative Services, William F. Studer, Jr., (915) 541-4215]

**20. PUBLIC HEALTH:**

- 20A.** Discussion and action on a Resolution that the City Council designates the Veterinarian assigned to the Department of Public Health to be the rabies control officer for the City of El Paso, and in his absence, the City Council designates the Deputy Director of Public Health for the Department of Public Health assigned to oversee Animal Services, to be the rabies control officer for the City of El Paso. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]
- 20B.** Discussion and action on a Resolution that the Mayor be authorized to sign Interlocal Agreements between the City of El Paso, Texas ("City of El Paso") and the listed municipalities by and through its duly authorized officials, pursuant to the Interlocal Cooperative Act. Services are to be performed in each municipality, and any extraterritorial jurisdiction thereof where the City of El Paso may lawfully provide public health and other services as delegated and

authorized under this Interlocal Agreement for the period of September 1, 2008, through August 31, 2009.

Town of Anthony, Texas  
Town of Clint, Texas  
Town of Horizon City, Texas  
City of Socorro, Texas  
Village of Vinton, Texas  
**(All Districts)** [Public Health, Michael Hill, (915) 771-5702]

- 20C.** Discussion and action on a Resolution that the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso ("City") and the County of El Paso ("County"), for the provision of public health services by the City and the County, and related matters, for the period of September 1, 2008 through August 31, 2009. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]

### **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.) 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.** Rafael Gardon vs. City of El Paso; Cause No. 2003-493. (551.071)  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** The request of Texas Gas Service Company, an operating Division of ONEOK, Inc., for an Interim Rate Adjustment pursuant to Tex. Util. Code Ann §104.301 (GRIP Statute). (551.071) [City Attorney's Office, Bertha A. Ontiveros, (915) 541-4550]
- EX3.** The State of Texas vs. El Paso County Water Improvement District No. 1 and City of El Paso; Cause No. 2008-1559. (551.071)  
[City Attorney's Office, Laura P. Gordon, (915) 541-4550]
- EX4.** Discussion and action regarding strategies and options related to Asarco litigation, bankruptcy, TCEQ permit process, and other legal matters involving Asarco. (551.071)  
[City Attorney's Office, Laura P. Gordon, (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 FRIDAY AT THE ADDRESS BELOW:**

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