

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, 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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**September 11, 2007**  
**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 – Police Chaplain Clift Barnes**  
**Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. LIFE INSURANCE AWARENESS MONTH**
- 2. SURGICAL TECHNOLOGISTS WEEK**
- 3. EL PASO FORD DEALERS SOUTHWESTERN INTERNATIONAL PROFESSIONAL RODEO COWBOYS ASSOCIATION (PRCA) RODEO WEEK**

### **RECOGNITIONS**

**TRIBUTE TO 9/11 ANNIVERSARY**

### **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.

**CONSENT AGENDA**

**1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of September 4, 2007.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**3. RESOLUTION:**

That the City expend additional available funding in the amount of \$65,000 to CSA Engineers to fund additional labor and materials for Contract Number 2006-132, Davis Drive Street & Drainage Improvements Project. **(District 7)**  
[Development Services/Engineering, R. Alan Shubert, (915) 541-4423]

**4. BOARD RE-APPOINTMENT:**

Michael R. Gibson to the Airport Board by Representative Susie Byrd, District 2.  
[Representative Susie Byrd, (915) 541-4416]

**5. BOARD APPOINTMENTS:**

**5A.** Buddy Ray York to the Committee on Border Relations, to fill an unexpired term, by Representative Melina Castro, District 4.  
[Representative Melina Castro, (915) 541-4400]

**5B.** Park Kerr to the Empowerment Zone Advisory Board by Representative Ann Morgan Lilly. District 1. [Representative Ann Morgan Lilly, (915)541-4151]

**5C.** Manny L. Razo to the City Accessibility Advisory Committee by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

**5D.** Raymundo Rodriguez to the Ethics Review Commission, to fill an unexpired term, by Representative Susie Byrd, District 2.  
[Representative Susie Byrd, (915) 541-4416]

**6. PURCHASING:**

Request that the Purchasing Manager for Financial Services Department, Purchasing Division, be authorized to exercise the City's option to extend Contact 2005-249 (Vactor Proprietary Parts) which was awarded on September 27, 2005, to the vendor listed below, for two additional years from September 27, 2008, to September 26, 2010.

Department: General Services-Fleet Division  
 Award to: Kinloch Equipment & Supply, Inc.  
 Arlington, Texas  
 Option No.: One of One  
 Total Amount: \$60,000 (total for two years extension)  
 Account No.: 37370510 – 503121 – 503127 - 45202  
 Funding Source: General Services-Fleet Division, Fleet Services Internal Service Fund

**Districts: All**  
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**7. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2007-226 (Janitorial Services – Central and Westside Park Facilities) to Carefree Janitorial Services and Global Clean for a total estimated award of \$172,529.52.

Department: Parks and Recreation  
 Award to: Vendor 1: Carefree Janitorial Services  
 El Paso, Texas  
 Items: 1A and B and 3A and B  
 Annual Estimated Amount: \$22,076.60  
 Option: Extend initial term of contract for two additional years prior to expiration of current term.  
 Total Estimated Award: \$66,229.80

Award to: Vendor 2: Global Clean  
 El Paso, Texas  
 Items: 2A and B and 4A and B  
 Annual Estimated Amount: \$35,433.24  
 Option: Extend initial term of contract for two additional years prior to expiration of current term.  
 Total Estimated Award: \$106,299.72

Account No.: 51010256 – 01101 - 502206  
 Funding Source: General Funds and Recreation Center Users Fees  
 Total Estimated Award: \$172,529.52

**Districts: 1, 2, 3, and 6**

This is a 36-month contract.

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

**8. BID:**

The award of Solicitation No. 2007-193 (Mesa Drain Safety Improvements) to Southwest Growth Corporation for an estimated total amount of \$223,981.90.

Department:	Streets Department
Award to:	Southwest Growth Corporation
	El Paso, Texas
Base Bid I:	\$217,951.90
Alternate 1:	\$6,030
Total Estimated Amount:	\$223,981.90
Account No.	G7128CD0061 – 71150069 – 07760 - 508027
Funding Source:	Community Development Block Grant
<b>District:</b>	<b>7</b>

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 will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Engineering, and Streets recommend award as indicated to the lowest responsive, responsible bidder.

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

**REGULAR AGENDA - INTRODUCTIONS**

**9. 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.**

**9A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at all Times on Certain Streets) of the El Paso City Code to add a new location on the east side of the alley from the 900 block of San Antonio E. Avenue to the 900 block of Overland E. Avenue between Saint Vrain Street and Virginia Street. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 8)**  
[Engineering Department/Traffic Division, Ted Marquez, (915) 541-4035]

- 9B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing – Tow-Away Zone), of the El Paso City Code to add a new location of Calleros Court and Chihuahua Street east side from Calleros Court to its terminus and west side from a point 60-feet south of Calleros Court to its terminus. The penalty being as provided in Section 12.85.110 (Violation - Penalty) of the El Paso City Code; and amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III, Parking Prohibited at all Times on Certain Streets) of the El Paso City Code to delete Paragraph 341. The penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 8)**  
[Engineering Department/Traffic Division, Ted Marquez, (915) 541-4035]

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 18, 2007, FOR ITEMS 9A – 9B**

Public Hearings will be held as part of the regular City Council meeting which 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**

**10. FINANCIAL SERVICES:**

Discussion and action on the award of Solicitation No. 2007-217 (Micro-Surfacing Program 2007) to Ballou Construction, Inc., of Salina, Kansas, for an estimated total amount of \$609,840.

Department:	Streets
Award to:	Ballou Construction, Inc. Salina, Kansas
Items:	Base Bid I: \$609,840
Total Estimated Award:	\$609,840
Option:	Option to extend 60 additional days no later than 15 days prior to the expiration of the original contract term.
Account No:	PCP06ST011 – 99331117 – 27263 - 508027
Funding Source:	FY 06 Certificates of Obligation
Districts:	<b>All</b>

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 will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the Director of Streets Department may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

This is a Requirements type, low bid, unit-price contract for a period of 60 days.

The Departments of Financial Services and Street recommend award as indicated to the lowest responsive, responsible bidder.

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

**REGULAR AGENDA – PUBLIC HEARINGS**

**11. PUBLIC HEARINGS – DEVELOPMENT SERVICES**

**11A.** An Ordinance changing the zoning of Tract 1C, Block 8, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Applicant: Jose Manuel Hernandez. ZON07-00061 **(District 7)**  
[Development Services/Planning, Frank Delgado, (915) 541-4238]

**11B.** 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 to add a proposed Lee Trevino extension from North Loop Drive and connecting to Border Highway (Loop 375) through Padres Drive. **(Districts 6 & 7)**  
[Development Services/Engineering, R. Alan Shubert, (915) 541-4423]

**11C.** An Ordinance changing the zoning of the following real property described as: Parcel 1: a portion of Section 15, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial); Parcel 2: a portion of Section 10, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial); Parcel 3: a portion of Sections 10, 11, and 15, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-5 (Residential); Parcel 4: a portion of Section 11, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to A-2 (Apartment); Parcel 5: a portion of Sections 2 and 11, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial) ; Parcel 6: a portion of Section 10, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-2 (Commercial); and, Parcel 7: a portion of Section 10, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to A-2 (Apartment) and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: south of Stan Robert Sr. Avenue and west of Dyer Street. Applicants: Ranchos Real IV, LTD and Direct Home Sales, Inc. ZON07-00003 **(District 4)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]  
**POSTPONED FROM 09-04-07**

**12. PUBLIC HEARINGS – ENGINEERING:**

- 12A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), Subsection “F” (Thirty-five Miles per Hour), and Subsection “G” (Forty Miles per Hour), of the El Paso City Code to amend the speed limits on Carolina Drive. The penalty is as provided in Section 12.84.010 of the El Paso City Code. **(Districts 3 & 7)**  
[Engineering Department/Traffic Division, Ted Marquez, (915) 541-4035]
- 12B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets) of the El Paso City Code to add a new location of High Ridge Drive between Resler N. Drive and the entrance of the Westside Regional Park. The penalty being as provided in Section 12.84.010 of the El Paso City Code **(District 1)** [Engineering Department/Traffic Division, Ted Marquez, (915) 541-4035]
- 12C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing, and Parking Generally), Section 12.44.180 (Regulations Pertaining to Certain Special Situations), Subsection B, to amend to read Funeral Zone: Must be adjacent to a Mortuary, Funeral Home, or Church. Vehicles of the Mortuary or Funeral Home, while used in its business, may use the zone at any time; other vehicles may not park or stand in the Zone except when part of a Funeral Procession. The penalty being as provided in Section 12.48.010 (Violation - Penalty) of the El Paso City Code. **(All Districts)**  
[Engineering Department/Traffic Division, Ted Marquez, (915) 541-4035]

**REGULAR AGENDA – OTHER BUSINESS**

**13. MAYOR AND COUNCIL:**

- 13A.** Discussion and action on sending the finalized and approved study completed by Kimley-Horn & Associates for the City of El Paso of the proposed Airways Extension (from Airways to Delta and Trowbridge Streets) to the Metropolitan Planning Organization (MPO) for implementation and development.  
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 13B.** Discussion and action concerning code enforcement on City’s utility easements.  
[Representative Steve Ortega, (915) 541-4124]

**14. ECONOMIC DEVELOPMENT:**

- 14A.** Discussion and action on a Resolution establishing the City of El Paso’s Green Building Grant Program, adopting Program Guidelines, and authorizing the City Manager to execute any and all documents related to the administration and operation of the Program. **(All Districts)**  
[Economic Development, Kathryn B. Dodson, (915) 541-4760]
- 14B.** Discussion and action on a Resolution establishing the City of El Paso’s Facade Improvement Program, adopting Program Guidelines, and authorizing the City

Manager to execute any and all documents related to the administration and operation of the Program and to the awarding of matching grant funds.

**(District 8)** [Economic Development, Kathryn B. Dodson, (915) 541-4760]

### **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.** Jorge Berry vs. City of El Paso and Civil Service Commission; Cause No. 2006-4076.  
(551.071) [City Attorney's Office, Jennifer F. Callan, (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:**

<http://www.elpasotexas.gov/>