

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REVISED
AGENDA FOR REGULAR COUNCIL MEETING

September 18, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
September 17, 2012
9:00 a.m.

NOTICE: 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.

PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.

ROLL CALL

INVOCATION by Police Chaplain Carlos Flores

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. Surgical Technologist Week in El Paso
2. Shakespeare on the Rocks Day
3. Hispanic Heritage Celebration Month
4. El Paso Motorcycle Coalition and
El Paso Motorcycle Community Day
5. El Paso on the Move Day
6. Texting & Driving – It Can Wait Day

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:

Requests to speak must be received by **8:30 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 11, 2012 and the Special City Council Meeting of August 30, 2012.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. A Resolution that the City Manager be authorized to sign a second amendment to the May 6, 2008, Development Agreement by and between the City of El Paso, the El Paso Water Utilities-Public Service Board, Hacienda del Rio Partners, LP, and Dos Arbolitos Investment, LLC, to amend Exhibit B, Development Plan, to increase the residential lots from 188 to 228 and to increase the park size. The density will not exceed 2.5 dwelling units per acre as required by the development agreement. **(West ETJ, near District 1)**
[City Development, Kimberly Forsyth, (915) 541-4668]

3B. A Resolution that the sale and service of alcoholic beverages by Osaple Inc., in the closed portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Oregon Street, Oregon Street from Franklin Avenue and Texas Avenue, Main Drive between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and Oregon Street, Mills Avenue between Mesa Street and El Paso Street, Sheldon Court between El Paso Street and Santa Fe Street,

Main Drive between Santa Fe Street and El Paso Street from 6:00 p.m. Friday, October 12, 2012 to 12:00 a.m. Saturday, October 13, 2012 in conjunction with Chalk the Block, is a permissible activity. **(District 8)**
[City Development, Mirian Spencer, (915) 541-4056]

- 3C.** That the City Manager be authorized to sign an Executive Management Shared Services Interlocal Agreement between the City of El Paso and the County of El Paso regarding the loan of services of City managerial employees to the County. **(All Districts)** [City Manager's Office, Joyce Wilson, (915) 541-4071]

4. DISCRETIONARY FUNDS:

That the City Council declares the expenditure of discretionary funds to support District 2 Great Streets Safe Streets Tree Planting Project serves a municipal purpose and is authorized. **(District 2)** [Representative Susie Byrd, (915) 541-4416]

5. FOR NOTATION:

Accept the donation of \$1,500 from Evolve Federal Credit Union for Movies at the Vista Del Valle Park. [Representative Emma Acosta, (915) 541-4515]

6. BOARD RE-APPOINTMENTS:

- 6A.** Richard Mojica to the Construction Board of Appeals by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]
- 6B.** Hector Homero Galicia to the Empowerment Advisory Board by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4886]

7. BOARD APPOINTMENT:

Danny Padilla to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Cortney Niland, District 8. [Representative Cortney Niland, (915) 541-4268]

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 amending Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code) Sections 18.18.060 (Definitions), 18.18.240 (Laser Source Lighting), 18.18.250 (Searchlights) and 18.18.280 (Temporary Exemption Requirements) of the El Paso City Code, to increase the time for a temporary exemption permit for Laser Source Lights and Searchlights from three days to not more than thirty days, the penalty being as provided in Section 18.18.400 (Violations) of the El Paso City Code. **(All Districts)**
[City Development, Victor Morrison-Vega, (915) 541-4556]

PUBLIC HEARING WILL BE HELD ON OCTOBER 2, 2012, FOR ITEMS 8A

- 8B.** An Ordinance changing the zoning of Tract 17C63, Section 8, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-3 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Bob Hope Drive at Saint Romeo Avenue. Property Owner: Elizabeth G. Flores. PZRZ11-00047 **(District 5)**
[City Development, Esther Guerrero, (915) 541-4720]
- 8C.** An Ordinance releasing all conditions placed on property by Ordinance No. 8786 and special contract of September 23, 1986, which changed the zoning of westerly 15' of Lot 9, all of Lots 10-12 and the easterly 20' of Lot 13, Block 7, Golden Hill Addition, City of El Paso, El Paso County, Texas, and to impose an additional condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Richard Sennessie – Lamina Investments, LLC. Subject Property: 1515 Golden Hill Terrace. PZCR12-00006 **(District 8)**
[City Development, Michael McElroy, (915) 541-4238]

PUBLIC HEARING WILL BE HELD ON OCTOBER 16, 2012, FOR ITEMS 8B – 8C

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, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS/OTHER BUSINESS

9. CITY DEVELOPMENT:

- 9A.** An Ordinance granting Special Permit No. PZST12-00006, to allow for infill development with reduced lot area, reduced lot width, cumulative setback, and a parking reduction on the property described as Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Maria L. Yee & Robert Concha. Subject Property: 1316 Missouri. PZST12-00006 **(District 8)**
[City Development, Michael McElroy, (915) 541-4238]
- 9B.** An Ordinance changing the zoning of Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas from C-2/H (Commercial/Historic) to R-4/H (Residential/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Maria L. Yee & Robert Concha. Subject Property: 1316 Missouri. PZRZ12-00015 **(District 8)**
[City Development, Michael McElroy, (915) 541-4238]
- 9C.** An Ordinance amending Title 20 (Zoning), Chapter 20.14 (Off-Street Parking, Loading, and Storage Standards), Section 20.14.020 (Scope), and Appendix C (Parking Regulations) of the El Paso City Code to amend the title of Appendix C,

to amend the applicability provisions; to amend transitional housing parking requirements and amend single-family detached dwelling parking requirements. The penalty is as provided in Chapter 20.24 of the El Paso City Code.

(All Districts) [City Development, Linda Castle, (915) 541-4029]

- 9D.** An Ordinance changing the zoning of a portion of Tract 39-A, O.A. Danielson Survey No 310, City of El Paso, El Paso County, Texas from A-O/sc (Apartments-Office/special contract) to C-1/sc (Commercial/special contract) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Gabter, LP. Subject Property: East of George Dieter Drive and West of Zaragoza Road. PZRZ12-00017 **(District 5)**
[City Development, Michael McElroy, (915) 541-4238]
- 9E.** An Ordinance releasing all conditions placed on property by Ordinance No. 7871 and Ordinance No. 9264 which changed the zoning of a portion of Lot 1, Block 5, Mesa Hills Plaza, City of El Paso, El Paso County, Texas, and to impose an additional condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5420 Hurd. Property Owner: Avico Family, L.P. PZCR12-00007 **(District 8)**
[City Development, Esther Guerrero, (915) 541-4720]
- 9F.** An Ordinance to release Condition No. 1 in its entirety and to amend a current condition placed on property by Ordinance No. 8343 and Special Contract of April 30, 1985, which changed the zoning of Lot 254, Block 17, Coronado Hills, Section No. 1, City of El Paso, El Paso County, Texas, and to impose an additional condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5940 Cadiz Street. Property Owner: Anthony Rallis. PZCR12-00005 **(District 8)**
[City Development, Esther Guerrero, (915) 541-4720]
- 9G.** An Ordinance granting Special Permit No. PZST12-00009, to allow for infill development with reduced side yard setbacks, reduced rear yard setbacks and a parking reduction; and to allow a professional office in an A-2 (Apartment) zoning district, on the property described as Lot 15 and 16, Block 278, Pierce Finley Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1028 Rio Grande Avenue. Property Owners: Orlando & Dora Mondragon. PZST12-00009 **(District 8)** [City Development, Esther Guerrero, (915) 541-4720]
- 9H.** An Ordinance granting Special Permit No. PZST12-00007, to allow for a cemetery and mausoleum and approving a Detailed Site Development Plan on the property described as Tracts 24-A-1, 25-A, 25-C and a portion of Tracts 24-A and 29-A, Section 9, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 8700 Dyer Street. Property Owner: SCI Texas Funeral Services, Inc., d/b/a Restlawn Memorial Park. PZST12-00007 **(District 2)** [City Development, Esther Guerrero, (915) 541-4720]

- 9I.** An Ordinance Amending Title 13 (Streets, Sidewalks and Public Places) Chapter 13.04 (Street and Sidewalk Construction and Maintenance), Section 13.04.070 (Installation of Sidewalk on Property on which Building Permit Issued) of the El Paso City Code to amend the requirements for installation of sidewalks. The penalty being as provided in Section 13.08.140 of the El Paso City Code.
(All Districts) [City Development, Kimberly Forsyth, (915) 541-4668]
- 9J.** An Ordinance granting Special Permit No. PZST11-00013, to allow for infill development with reduced lot width on the property described as all of Lots 21 and 20 Except the Westerly 3 Feet of 20, Block 73D, Logan Heights Addition First Revised Plat, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3604 Keltner Avenue. Property Owner: Stone Nest LLC. PZST11-00013 **(District 2)**
[City Development, Andrew Salloum, (915) 541-4633]
POSTPONED FROM 3-6-12 and 4-3-12, and 5-1-12 and 5-29-12 and 6-26-12
- 9K.** Discussion and action requesting the City Council to waive the requirement that an application for infill development meet two criteria as stated in Section 20.10.280 when only one factor is met, prior to the submission of a special use permit application for the property located at 5701 - 5720 Azzulina Court, legally described as Lot 1 - 13, Block 1, San Angelino Estates, City of El Paso, El Paso County, Texas. **(District 3)**
[City Development, Andrew Salloum, (915) 541-4633]

10. EL PASO WATER UTILITIES:

An Ordinance authorizing the City Manager to sign a Special Warranty Deed to convey 0.69 acres of city land under the jurisdiction of the El Paso Water Utilities Public Service Board, and consisting of a portion of Tennis West Estates, Block 2, Lot 35 and Upper Valley Surveys, Block 8, Tract 4B2, City of El Paso, El Paso County, Texas, near Westside Road and Lee Shannon Street to Lamar Skarda and spouse Connie Skarda, the sole responsive bidders, and authorizing the City Manager to sign any and all necessary documents to complete the conveyance and providing an effective date. **(District 1)** [El Paso Water Utilities, Marcela Navarrete (915) 594-5614]

11. OFFICE OF MANAGEMENT AND BUDGET:

An Ordinance amending Title 3 (Revenue and Finance) of the El Paso Municipal Code, Chapter 3.04 (Property Taxes) by amending Section 3.04.040 (Exemption – Residence Homestead) to increase the ad valorem property tax exemption for individuals who qualify under the current code. **(All Districts)**
[Office of Management and Budget, Lynly, Leeper, (915) 541-4777]

12. POLICE/OMB/MUNICIPAL CLERK

- 1.** An Ordinance amending Title 12 (Vehicle and Traffic), Chapter 12.21 (Photographic Traffic Signal Enforcement System), of the El Paso City Code by amending Sections 12.21.010 (Definitions) and 12.21.070 (Effect of Liability; Exclusion of Civil Remedy; Enforcement), to provide that an unpaid civil penalty may be enforced by refusing to allow the registration of the vehicle; the penalty is as provided in Section 12.21.020 of the City Code. **(All Districts)**

[Police, Michelle Gardner, (915) 546-7301]
[Office of Budget and Management, Lynly Leeper, (915) 541-4777]

2. Discussion and action authorizing the Mayor to sign a Second Amendment to the Interlocal Agreement between the City of El Paso ("The City"), the County of El Paso ("COUNTY"), and the El Paso County Tax Assessor-Collector (COUNTY TAX ASSESSOR-COLLECTOR) in which the COUNTY TAX ASSESSOR-COLLECTOR will refuse to register or reregister vehicles that have outstanding and/or unpaid civil penalties related to and/or associated with the automatic photo red light violations that match the current owner of record for the automotive vehicle and the vehicle flagged. In lieu of this new task, the CITY shall pay to the COUNTY fifteen percent (15%) of the collected city fine for each refusal to register or reregister a motor vehicle which results in full payment of the corresponding red light camera violation.

Furthermore, the CITY shall pay to the COUNTY twenty dollars (\$20) or 15% of the fee collected, whichever is greater, collected from motor vehicle owners, for each refusal to register or reregister a motor vehicle which results in full payment of the corresponding warrants as authorized in Tex. Transp. Code § 702.003(e-1). Once collected by the CITY, this fee is passed through to the COUNTY in consideration for its work on identifying outstanding warrants and referring those individuals back to the CITY for payment. **(All Districts)**

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

3. An Ordinance amending Title 12 (Vehicles and Traffic) and Chapter 12.08 (Administration and Enforcement) to create Section 12.08.191 (Refusal to Register Motor Vehicles Due to Outstanding Warrants Fee) of the El Paso City Code, to provide that due to the County Tax Assessor Collector's ability to refuse motor vehicle registration due to outstanding warrants for failure to appear or failure to pay a fine on a complaint that involves the violation of a traffic law, the City of El Paso is establishing a fee to be paid by the owner of that motor vehicle that will be forwarded to the County Tax Assessor Collector for their administrative costs. **(All Districts)**

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

4. Discussion and action authorizing the Mayor to sign the Interlocal Agreement between the Texas Department of Motor Vehicles ("TxDMV") and the City of El Paso ("the City") in which TxDMV will provide motor vehicle records inquiry and transaction services based on data submissions received by the City or its designee. The data submissions consist of requests for initial inquiries of motor vehicle records with red light violations, requests to place flags on motor vehicle records with such violations, and requests to clear flags placed on motor vehicle records after a red light violation has been paid. Upon receiving the requests from the City or designee the TxDMV will either inform the City or designee of matching license plates, place flags on vehicle records of matching plates, or clear vehicle records requested to be cleared by the City or its designee after payment of red light violations. TxDMV will be compensated in accordance with 43 TAC Chapter 217 at twenty three (\$23.00) per computer run plus twelve cents (\$0.12) per record searched. **(All Districts)**

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

REGULAR AGENDA – OTHER BUSINESS

13. CITY DEVELOPMENT:

Discussion and action on a Resolution authorizing the City Manager to sign an Annexation Agreement between the City of El Paso and Genagra, L.P., for approximately 20.552 acres of real property located west of Zaragoza Road and south of Pebble Hills Blvd., which will specify the terms and conditions under which the property will be annexed, should the City annex the property. That the Deputy Director of Planning prepares an annexation service plan in accordance with Section 43.056 of the Local Government Code. AN08009

(East ETJ) (District 5) [City Development, Kimberly Forsyth (915) 541-4668]
POSTPONED FROM 08-21-12

14. MAYOR AND COUNCIL:

14A. Discussion and action to terminate the contract between Tom Drugan and the City of El Paso. **(All Districts)** [Representative Emma Acosta, (915) 541-4515]
POSTPONED FROM 9-11-12

14B. Discussion and action to Revise the Public Art guidelines to include public art on Rapid Transit corridors **(All Districts)** [Representative Emma Acosta, (915) 541-4515]
POSTPONED FROM 9-11-12

**ITEMS 15 THROUGH 16I WILL NOT BE HEARD BEFORE
10:30 A.M.**

REGULAR –PUBLIC HEARINGS/OTHER BUSINESS –
BALLPARK, CITY HALL RELOCATION, AND NOVEMBER ELECTION ITEMS
ITEMS 15 THROUGH 16I

15. CITY MANAGER:

An Ordinance repealing a Resolution approved by City Council on June 26, 2012 Styled Under – Regular Agenda – Other Business 12. City Manager: 3. Discussion and action on a Resolution that the City Manager be authorized to sign the Term Sheet as agreed upon by the City of El Paso and Mountain Star Sports Group, LLC, in order to signal the creation of the public/private partnership and the intent of the City Council to construct a public sports facility (“Ballpark”) in the event the investors are able to purchase a Triple-A Minor League Baseball Franchise and relocate it to El Paso; that the City Council intends to locate the Ballpark on the site currently occupied by City Hall, Insights Museum, the Community Garden and the supporting parking area fronting on Franklin Street and authorizes the City Manager to take measures to complete the planning for the redevelopment of such site and to take steps to make the site available for the

construction, including termination of leasehold interests, and to move forward to formulate long term and short term execution plans for the relocation of City operations from the City Hall site to other locations in the downtown area for the construction of the Ballpark; that the City Manager be authorized to proceed with proposed financing plan to include the possible use of (i) a venue hotel occupancy tax if approved by the voters at a duly-called election; (ii) lease revenue bonds issued by a local government corporation formed by the city; and/or (iii) other debt obligations issued by or on behalf of the City for the construction and development of the Ballpark; and that the City Manager or her designee be authorized to negotiate a contract containing the terms and conditions set forth in the term sheet for the construction and future operations and maintenance of the Ballpark and to present it to City Council for consideration upon completion of the negotiations. **(All Districts)** [City Manager, Joyce Wilson, (915) 541-4071]

16. VARIOUS DEPARTMENTS:

- 16A.** An Ordinance authorizing the City Manager to sign a Lease by and between the City of El Paso as Lessor and Mountain Star Sports Group, LLC – El Paso Baseball Club Series and Mountain Star Sports Group, LLC as Tenant covering Lots 1 through 10 and Lots 11 through 40, and a portion of the T-Alley, Block B, Stevens Addition and a Portion of Block 28 and 48, Mills Map Addition and a Portion of Franklin Street, El Paso, El Paso County, Texas containing 4.8274 acres of land more or less; a portion of Lots 30 through 42, Block C, Stevens Addition, El Paso, El Paso County, Texas containing 0.9521 acres of land more or less; and a portion of the Union Pacific Company right of way out of Blocks 28 and 48, Mills Map Addition, El Paso, El Paso County, Texas containing 0.1994 acres of land more or less (“City Hall Site”). **(District 8)**
[City Attorney’s Office, Sylvia Borunda Firth, (915) 541-4550]
- 16B.** Discussion and action regarding a Resolution that the City Manager be authorized to sign a Ballpark Development Agreement, by and between the CITY OF EL PASO (“City”) and MOUNTAIN STAR SPORTS GROUP, LLC – EL PASO BASEBALL CLUB SERIES (“Club”) for the purpose of establishing the process and schedule for the design, development, construction and delivery of a minor league ballpark and related facilities within the El Paso downtown area and specifying the use of a construction manager at risk for the project. **(District 8)**
[City Manager’s Office, William F. Studer, (915) 541-4252]
- 16C.** Discussion and action regarding a Resolution that the City Manager be authorized to sign a Non-Relocation Agreement, by and between the CITY OF EL PASO (“City”) and MOUNTAIN STAR SPORTS GROUP, LLC – EL PASO BASEBALL CLUB SERIES (“Club”) and MOUNTAIN STAR SPORTS GROUP, LLC (“Company”) containing the Club’s covenant to continuously maintain and operate the ballpark in downtown El Paso as the home field for its triple A minor league baseball team for the term of the Lease Agreement between the parties; setting forth remedies for the City in the event of breach, including but not limited to, equitable remedies such as declaratory or injunctive relief and specific performance, monetary damages and right to purchase the team. **(District 8)**
[City Manager’s Office, William F. Studer, (915) 541-4252]
- 16D.** An Ordinance amending Ordinance No. 017850 for the purpose of clarifying the ballot language regarding the Venue Project and Hotel Occupancy Tax Proposition and resolving other matters related thereto. **(District 8)**

[City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]

- 16E.** Discussion and action on Resolution to authorize the City Manager to accept, on behalf of the City of El Paso, a donation from Luther Acquisition LP of Lots 11-14, Block 230 Campbell Addition, El Paso County Texas, municipally known as 218 N. Campbell; and to authorize the City Manager to sign all documents and take all actions necessary to effectuate this transaction; and directing the City Manager to initiate the process to add this project to the City's Capital Improvement Program. **(District 8)**
[City Development, Mathew McElroy, (915) 541-4897]
[City Development, Jane Tomchik, (915) 541-4897]
- 16F.** Discussion and action to approve a Resolution to authorize the City Manager to execute, on behalf of the City of El Paso, a Contract of Sale with Harl E. Dixon for the purchase of 227 Campbell 1 to 5 and 227 Campbell 6 to 8, addition to the City of El Paso, El Paso County Texas, municipally known as 801 and 811 Texas respectively. This property is intended to house the City Development Department plus additional customer service operations. **(District 8)**
[City Development, Mathew McElroy, (915-541-4897]
[City Development, Jane Tomchik, (915) 541-4897]
- 16G.** Discussion and action to approve a Resolution to authorize the creation of the City of El Paso 2013 City Hall Relocation and Ballpark Capital Improvement Plan ("CIP") in order to establish the relocation projects and the public sports facility project in the amount of \$81,238,924; to authorize the use of a combination of Certificates of Obligation, revenue bonds, or other allowable sources for the CIP pursuant to the City's Debt Management Policy and applicable state laws; to authorize the City Manager to allocate funds out of the unassigned general fund balance in the City of El Paso FY2013 Budget in an amount not to exceed \$3,920,276 for Information Technology projects, records and archiving projects, and moving costs related to the relocation of City Hall; and to authorize the City Manager to establish funding sources and execute any and all documents, including budget transfers, necessary for the execution of the CIP and associated relocation costs. **(District 8)**
[Engineering and Construction Management, R. Alan Shubert (915) 541-4428]
- 16H.** Discussion and action to approve a resolution that authorizes the use of the Construction Manager-at-Risk two-step alternative project delivery method for the Ballpark construction project and that the City Engineer is authorized to issue an initial Request for Qualifications and, after a short list of qualified firms have been selected, a Request for Proposals as the second step for a Construction Manager-at-Risk for such Ballpark construction project. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 16I.** Discussion and action approving a resolution that approves the City of El Paso Construction Manager-At-Risk Procurement Policy as an alternative construction project delivery method for the construction, rehabilitation, alteration, or repair of a facility as permitted by state law. **(District 8)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

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:

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/>