

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
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR SPECIAL CITY COUNCIL MEETING

October 2, 2006
10th Floor Conference Room, City Hall
4:00 p.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, October 3, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

AGENDA FOR REGULAR CITY COUNCIL MEETING

October 3, 2006
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 and Fire Chaplain Sam Faraone
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. DIABETES MONTH**
- 2. MENTAL ILLNESS AWARENESS WEEK**
- 3. WATCH-YOUR-CAR MONTH**
- 4. BI-NATIONAL DRUG FREE MONTH - "STAND UP AND BE COUNTED"**
- 5. FIRE PREVENTION WEEK**

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/city_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:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of September 26, 2006, and Special City Council Meetings of September 21, 2006 (Disability Awareness and Sensitivity Training), and September 25, 2006 (Agenda Review).

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

- 3. RESOLUTION(S):**

- 3A.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

9300 Carranza Drive	\$1,207.31	District 6
Ruben Arroyo		
[Development Services, William Stern, (915) 541-4800]		

- 3B.** That the City Manager be authorized to sign the following contracts, which serve a public purpose, on behalf of the Museums and Cultural Affairs Department, to be funded through the Operational Support and the Project Support Programs for FY2007 Direct Funding Program of the Museums and Cultural Affairs Department as recommended by the Cultural Affairs Advisory Board:

1. El Paso Pro-Musica; Operational Support; \$29,096.00.
2. El Paso Holocaust Museum; Operational Support; \$15,000.00.
3. Insights Museum; Operational Support; \$15,000.00.
4. Kids Excel; Operational Support; \$15,000.00.
5. El Paso Opera; Operational Support; \$19,433.00.
6. El Paso Symphony; Operational Support; \$19,880.00.
7. Ballet Folklorico Paso del Norte; Project Support; \$7,500.
8. El Paso Chorale; Project Support; \$9,886.00.
9. Theatre, Inc.; Project Support; \$15,000.00.
10. Creative Kids; Project Support; \$12,221.50.
11. La Mujer Obrera; Project Support; \$5,000.00.
12. Border Senses; Project Support; \$5,958.00.
13. El Paso Friends of Jazz Society; Project Support; \$5,000.00.
14. El Paso Playhouse; Project Support; \$5,000.00.
15. Kids & Co.; Project Support; \$6,405.00.
16. Danzas Espanolas; Project Support; \$2,591.00.
17. International Hispanic Cultural Institute; Project Support; \$15,000.00.
18. The Gilbert & Sullivan Co. of El Paso; Project Support; \$4,179.50.
19. Project Change; Project Support; \$6,181.00
20. Ballet Solaris Dance Co.; Project Support; \$2,500.00.
21. Project Vida; Project Support; \$7,273.00.
22. El Paso Wind Symphony; Project Support; \$11,524.50.
23. Outrageous Fortune Theatre Co.; Project Support; \$2,500.00.
24. El Paso Sungold Sweet Adelines; Project Support; \$2,134.00.
25. Showtime El Paso; Project Support; \$6,479.00

(All Districts) [Museums and Cultural Affairs, Yolanda Alameda, (915) 541-4896]

- 3C.** That the City Council approves and adopts the attached Facility Rental Policy for the El Paso Museum of Art for the purposes of establishing guidelines and fees for individuals and entities' use of the El Paso Museum of Art facilities and revoking the Resolution adopting the Rental Policy for the Museum of Art previously approved by the City of El Paso on September, 15, 1998.

(All Districts) [Museum of Art, Michael A. Tomor, (915) 532-1707]

- 4. REINSTATEMENT(S):** Request for name(s) to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:

4A. Alvarez, Pedro – Driver
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

4B. Keaton, Michael – Firefighter
[Fire, Roberto Rivera, (915) 771-1000]

4C. Ocampo, Ruben – Recreation Specialist
[Parks and Recreation, Norman C. Merrifield, (915) 541-4910]

- 5. BOARD RE-APPOINTMENT(S):**

Sofia Ordoñez to Retired and Senior Volunteer Program Advisory Council by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

6. BOARD APPOINTMENT(S):

6A. Doug Hamilton to the Airport Board by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

6B. Appointment of Summer Luciano to the Ethics Review Commission by City Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

7. APPLICATIONS FOR TAX REFUND: [Tax Office, Juan Sandoval, (915) 541-4369]
That the tax refunds listed on the attachment posted with this agenda be approved.
(See Attachment A)

8. MAYOR AND COUNCIL:

Ordinance No. 16301, Section 2.92.110 (Disclosure of Campaign Contribution), requires the disclosure of all campaign contributions of \$500.00 or more. (See Attachment B)
[Representative Ann Morgan Lilly, (915) 541-4022]

9. ENGINEERING:

That the City Manager be authorized to sign a second amendment to the agreement for Engineering Services between the City of El Paso and Parkhill, Smith & Cooper, Inc. for a project known as "Closure of Clint Landfill Permit 1482", which authorizes the Engineer to provide additional work to update the Site Operating Plan required to comply with the new rules adopted by the Texas Commission on Environmental Quality in an amount not to exceed seven thousand one hundred twenty-nine and 00/100 dollars (\$7,129.00).
(Outside of city limits) [Engineering Department, Rick Conner, (915) 541-4200]

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.**

An Ordinance amending Chapter 2.64 of the El Paso Municipal Code (City Employees' Pension Fund) to allow other entities, including the El Paso City-County Health and Environmental District, to adopt the City Employees' Pension Fund. **(All Districts)**
[Pension Administration, Robert Ash, (915) 541-4765]

PUBLIC HEARING WILL BE HELD ON OCTOBER 17, 2006, FOR THE ITEM

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 – PUBLIC HEARINGS**11. PUBLIC HEARING(S) – DEVELOPMENT SERVICES**

An Ordinance granting Special Permit No. ZON06-00084 to allow for a special permit for a governmental use on the property described as Parcel 1 and 3: a portion of Woodlawn Addition and Washington Park, and portions of State Highway Right of Way, El Paso, El Paso County, Texas; and Parcel 2: a portion of Woodlawn Addition and Washington Park, pursuant to Sections 20.24.040 and 20.14.040 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 4001 E. Paisano. Applicant: City of El Paso. ZON06-00084. **(District 3)**
[Development Services/Planning, Christina Valles, (915) 541-4930]

REGULAR AGENDA – OTHER BUSINESS**12. MAYOR AND COUNCIL:**

- 12A.** Discussion and action on the Northeast Master Plan Request for Qualification ('RFQ') for a Master Developer. **(All Districts)**
[El Paso Water Utilities Public Service Board, Ed Archuleta, (915) 594-5501]
- 12B.** Discussion and action regarding the Saipan/Ledo/Radford Neighborhood which flooded, to either: 1) Repair the drainage system in this neighborhood and close off the drainage charge on I-10 that leads directly to the homes; or 2) for the City of El Paso to purchase the homes on this neighborhood at replacement value and ask the City of El Paso to request the Texas Department of Transportation to be a part of this process and to control the I-10 discharge in the interim.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12C.** Discussion and action on changing policies and procedures within the neighborhood citizens' collection sites to assist residents and facilitate the process of leaving trash at the sites.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12D.** Discussion and action regarding the Health Department's Temporary Special Permits for special events; and the accelerating costs on a daily basis as the event nears; by Representative Alexandro Lozano and Mr. Armando Rodriguez.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12E.** Discussion and action regarding the creation of a City Ordinance that would waive all future parade fees to Veteran's Organizations putting on Veteran's Day Parades; and to explore other avenues regarding police escorts for the parades.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12F.** Discussion and action regarding the process in which the City of El Paso granted, and then rescinded, a beer & liquor permit for Club Helios.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 12G.** Discussion and action to expedite the Parks and Recreation Department process for renaming city parks for the purpose of officially changing the name of Vista del Sol Park to Judge Eduardo S. Marquez Park.
[Representative Steve Ortega, (915) 541-4124]

13. ECONOMIC DEVELOPMENT:

Discussion and action on a Resolution that the City Manager be authorized to sign a Grant Agreement between the City of El Paso and Project ARRIBA Advanced Retraining and Redevelopment Initiative in Border Areas, Inc. ("Grantee"), a 501(c)3 tax exempt, non-profit Texas corporation, for the purpose of creating a permanent and sustainable source of local nurses, teachers, and information technologists to address severe shortages in the City of El Paso. **(All Districts)**

[Economic Development, Lucille Ponticelli, (915) 541-4679]

14. FINANCIAL SERVICES - BID:

Discussion and action on the award of Solicitation No. 2006-168, Asbestos Abatement Services, to Southwest Abatement, Inc. dba Environmental Reconditioning, Inc. for a total estimated award of \$1,065,045.00.

Department:	Environmental Services
Award to:	Southwest Abatement, Inc., dba Environmental Reconditioning, Inc. El Paso, TX
Item(s):	All
Estimated Annual Amount:	\$355,015.00
Option:	One year extension prior to the end of the contract.
Account No.:	Various
Funding Source:	Various
Estimated Total Award:	\$1,065,045.00
District(s):	All

This is a thirty-six (36) month contract.

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

[Financial Services, Terrence Freiburg, (915) 541-4313]

15. CITY MANAGER:

City Manager's report of current events and issues:

15A. Discussion of issues related to Storm 2006:

1. Update on City cleanup efforts.
2. Update on flood plain management recommendations for parcels on Durazno Avenue, Saipan Place, Ledo Road, Missouri Avenue, Fiesta Drive, and other areas.
3. Update on design firm selection and construction firm award processes.

15B. Discussion and action:

1. Update on program for property acquisitions for Mowad Subdivision.
2. City Storm 2006 CIP Priorities.
3. Reprogramming efforts from January 2006 Certificates of Obligation for Storm 2006 CIP Priorities.
4. Authorization for an emergency bond issuance up to an additional \$75 million for Storm 2006 CIP Priorities.

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. Legal issues related to the proceeds from the sale of PSB lands (551.071 & 551.072). [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 CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

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