

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL ROBINSON, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR REGULAR CITY COUNCIL MEETING

**October 13, 2009
Council Chambers, City Hall
8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

Roll call and Executive Session*
Invocation and Pledge of Allegiance
Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Police, Fire, & CIMA Chaplain Sam Faraone
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

- 1. WHITE CANE SAFETY MONTH**
- 2. HELP-HOPE-HEALING CRIME VICTIMS' WEEK**
- 3. MAKING STRIDES AGAINST BREAST CANCER DAY**

RECOGNITION

THE MAYOR'S 100 TEENS

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.

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 October 6, 2009.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. Placing condemnation liens on the following properties (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 City Code:

- | | | | |
|----|---|-------------|---|
| 1. | 2630 Richmond Avenue
(District 2) | \$ 771.42 | Dennis B. Dereglá, Joseph Therese Reydom, GMAC Mortgage LLC and First American Field Services |
| 2. | 2630 Richmond Avenue
(District 2) | \$ 812.05 | Dennis B. Dereglá, Joseph Therese Reydom, GMAC Mortgage LLC and First American Field Services |
| 3. | 2600 Porter Avenue
(District 2) | \$19,505.26 | Rachel Munoz |
| 4. | 2616 Porter Avenue
(District 2) | \$ 5,394.75 | Mary Mireles & Tony Mireles |
| 5. | 708 S. St. Vrain
(District 8) | \$21,738.34 | Luis G. Grijalva & Rafael P. Grijalva, and El Paso Federal Savings Loan |
| 6. | 3405 Mountain Avenue
(District 2) | \$ 2,280.49 | Otto Aguilar |
| 7. | 3405 Mountain Avenue
(District 2) | \$2,941.52 | Otto Aguilar |

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

- 3B.** That the Mayor be authorized to sign an Interlocal Agreement with the University of Texas at El Paso (“UTEP”) under which the Institute for Policy and Economic Development (“IPED”) of UTEP shall provide economic-impact assessments, briefing and training to City staff, and other technology-based economic development assessments services, all as requested by the Economic Development Department of the City. This Agreement shall be for a term of one year, subject to renewal on mutual agreement, with a maximum of cost to the City of \$30,000 per year. **(All Districts)**
[Economic Development, Kathryn B. Dodson, (915) 541-4872]
- 3C.** That O.P.E.P. be authorized for the sale and service of alcoholic beverages at the outdoor street festival in the closed portion of Ochoa Street between First Avenue and Paisano Drive from 9:00 p.m., Saturday, October 31, 2009, to 2:00 a.m., Sunday, November 1, 2009. SPL09-00027 **(District 8)**
[Engineering/Traffic Division, Mirian Spencer, (915) 541-4482]
- 3D.** That Republic Night Club be authorized for the sale and service of alcoholic beverages at the outdoor street festival in the closed portions of the sidewalk adjacent to Anthony Street, a portion of Western Court, and a portion of the alley adjacent to Western Court from 7:00 p.m., Friday, October 30, 2009, to 2:00 a.m., Saturday, October 31, 2009, and from 7:00 p.m., Saturday, October 31, 2009, to 2:00 a.m., Sunday, November 1, 2009. SPL09-00026 **(District 8)** [Engineering/Traffic Division, Mirian Spencer, (915) 541-4482]
- 3E.** That the City Manager be authorized to sign the Agreement for Engineering Services by and between the City of El Paso and Walter P. Moore and Associates, Inc., a Texas Corporation, for a project known as “Fiber Optic Build-out Phase III” for an amount not to exceed \$350,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$400,000. Funding source is 2009 Reprogramming. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]
- 3F.** That the City approves the expenditure of additional available funding in the amount of \$74,188.73 to Arrow Building Corporation for additional construction costs of the Glory Road Transit Terminal. Change Order 3 provides for revision of the structural mat foundation approximately one foot and revises the foundation section along the east side of the building. The revision to the foundation section avoided the need for additional excavation across the project site. As a result of the foundation’s lower elevation, the quantities of the building assemblies bearing on the foundation increased in order to maintain the building’s first-to-second floor height relationship, adding no days of contract time [change order number 3] for Contract Number 2009-145. The new contract sum, including change order 3, is \$9,096,569.49. (ARRA funding) **(District 1)**
[Engineering, R. Alan Shubert, (915) 541-4423]
- 3G.** That the City Manager be authorized to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation. The scope of work for the Agreement is to acquire right-of-way for a highway project on Highway No. 20 (Alameda) from Boone Avenue to east of Paisano (Glenwood). (\$68,200 - 2006 Certificates of Obligation - TXDOT Matches) **(Districts 3 and 8)**
[Engineering, R. Alan Shubert, (915) 541-4423]

- 3H. That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3I. That the City Manager be authorized to sign Consent to Assignment of the contract by and between the City of El Paso, Nunn Waste Management Company ("Assignor"), and Fuels LLC ("Assignee") with respect to the City of El Paso Contract No. 2009-054. **(All Districts)**
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
[General Services, Stuart Ed, (915) 621-6822]
- 3J. That in accordance with Section 3.5 of the City Charter, as revised, the regular City Council meetings for November 24, 2009, and December 29, 2009, are hereby canceled. **(All Districts)**
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

4. BOARD RE-APPOINTMENTS:

- 4A. Daniel Ortiz to the Empowerment Zone Advisory Board by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4108]
- 4B. James H. Tolbert to the Parks and Recreation Advisory Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 4C. Richard I. Falvo to the Parks and Recreation Advisory Board by Representative Rachel Quintana, District 5. [Representative Rachel Quintana, (915) 541-4701]

5. BOARD APPOINTMENT:

James M. Erickson to the Building and Standards Commission to serve as realtor member by Representative Beto O'Rourke, District 8.
[Representative Beto O'Rourke, (915) 541-4123]

6. DISCRETIONARY FUNDS:

Request authorization to transfer District 5 Discretionary Funds (Council Special Projects), Department ID No. 01010005, Account 504420, Fund No. 01101, in the amount of \$4,156 to the Parks and Recreation Department (ID No. 51010366, Account 503303, Fund No. 01101) to purchase and install picnic tables and benches.
[Representative Rachel Quintana, (915) 541-4701]

7. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

- 7A. Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue purchase orders to Intergraph Corporation, the sole source provider for maintenance services of the City's ILEADS software. Total estimated annual amount is \$111,708.10.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology
 Account No.: 39010351 – 01101 – 502202
 Funding Source: FY 2010 Information Technology General Fund -
 Data Processing Services
 Total Estimated Amount: \$111,708.10
 Sole Source No.: 2010-050
Districts: All
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
 [Information Technology, John Neal, (915) 541-4288]

- 7B.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue purchase orders to D Gilmore Distributing Inc. d/b/a Triple S Janitorial Supplies, the sole authorized distributor for PPG Industries, Inc. Accu-Tab Blue SI chlorination tablets. PPG Industries, Inc. is the sole source manufacturer for the Accu-Tab Tablets and Accu-Tab Chlorination Systems currently used in the City’s swimming pools. Total estimated amount is \$57,753.60.

Department: Parks and Recreation
 Account No.: 51010364 – 503126 – 01101
 Funding Source: Parks and Recreation FY10 Budget
 Total Estimated Award: \$57,753.60
 Reference No.: 2010-046
Districts: All
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
 [Parks and Recreation, Wright Stanton, (915) 541-4594]

- 7C.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue purchase orders to W.W. Grainger, Inc. under the Texas Procurement and Support Services (TPASS) State of Texas Contract TXMAS 2-539030 for miscellaneous industrial supplies and equipment to various departments in the estimated amount of \$100,000. This is in addition to previous purchase orders issued to W.W. Grainger, Inc. in the approximate amount of \$100,000. Total expenditures are \$200,000.

The participation by the City of El Paso in the TPASS Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

Department: Various
 Account No.: Various
 Funding Source: Various
 Total Estimated Award: \$100,000 (Total projected expenditures \$200,000)
 Reference No.: 2010-047
Districts: All
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 7D.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Trane Building Services, a contractor under the TCPN Cooperative Purchasing Program, Contract # R4669, for procurement and installation of heating, venting, air conditioning (HVAC) equipment and accessories at the Eastside, Northeast and Five Points Transit Terminals. Participation by the City of El Paso in the Cooperative Purchasing Network (TCPN) was approved by Mayor and Council on March 27, 2007.

Additionally, it is requested that the City Attorney’s Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Engineering
Account No.: 60600011 – 508027 – 11630 – PCP09MT014
Funding Source: Capital Grants –TX-90-X344
(Rehab Facilities)-Construction
Total Estimated Award: \$226,144.19
Reference No.: 2010-053
Districts: 3, 4 and 8
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
[Engineering, R. Alan Shubert, (915) 541-4423]

8. BID:

The award of Solicitation No. 2010-017 (Aviation Fuel) to Cutter Aviation for a total estimated award of \$256,221.96.

Department: Police
Award to: Cutter Aviation
El Paso, TX
Items: All
Option: Two years
Annual Estimated Amount: \$85,407.32
Account No.: 21150060 – 503009 – 16411 – P500232
Funding Source: Confiscated Funds
Total Estimated Award: \$256,221.96 (3-year total)
Districts: All

This is a thirty-six month 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 Police recommend award as indicated to the sole bidder.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
[Police Department, Gregory Allen, (915) 564-7302]

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 authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property described as Lots 21 through 27, Block 125, Highland Park Addition, an Addition to the City of El Paso, being more particularly described in Volume 495, Page 1743, Deed Records of El Paso County, Texas, to El Paso Water Utilities/Public Service Board (EPWU/PSB). **(District 2)**
[Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, Carmen Perez, (915) 545-5481]
- 9B. An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property located at 3428 San Antonio Avenue to Francisco Perez. **(District 8)**
[Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, Carmen Perez, (915) 545-5481]

PUBLIC HEARING WILL BE HELD ON OCTOBER 20, 2009, FOR ITEMS 9A – 9B

- 9C. An Ordinance granting Special Permit No. ZON09-00058 to allow an Assisted Living Facility on the site of the property described as being all of Lot 1, Block 1, Falvey Estates, City of El Paso, El Paso County, Texas, pursuant to Sections 20.08.030 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 8615 San Juan Lane. Property owner: Juanita S. Falvey. ZON09-00058 **(District 6)**
[Development Services/Planning, Linda Castle, (915) 541-4029]
- 9D. An Ordinance amending Title 3 (Revenue and Finance), Chapter 3.04 (Property Taxes), Section 3.04.035 (Exemption – Historically Significant Sites), of the El Paso City Code; to designate different reviewing authorities for properties depending on the existence of a historic district zoning overlay; to clarify the processes for obtaining a tax exemption; and to provide for appeals processes. **(All Districts)** [Development Services, Tony De La Cruz, (915) 541-4329]
- 9E. An Ordinance amending Title 20 (Zoning), Chapter 20.20 (Historic Landmark Preservation), to amend Section 20.20.080 to clarify the process by which historic properties in areas of potential effect obtain a tax exemption through preservation of the property. **(All Districts)**
[Development Services, Tony De La Cruz, (915) 541-4329]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 3, 2009, FOR ITEMS 9C – 9E

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

10. ENGINEERING:

Discussion and action that the City be authorized to enter into negotiations with Medlock Commercial Contractors, LLC who submitted the highest ranked proposal for the Armijo Branch Library Computer Lab Addition & Chihuahuita Community Center HVAC Remodeling project, as per recommendations from the Engineering Department. This

project was bid as a Competitive Sealed Proposal and the statute allows contract negotiations regarding the scope and price of a project with the selected offeror.

Department: Engineering
 Account No(s): 71150069 / 508027 / 07884 / G7134CD0014
 71150069 / 508027 / 07892 / G7134CD0021
 99331117 / 508027 / 27263 / PCP06MF 001
 Funding Source: CDBG 34th Year (Armijo), CDBG 34th Year (Chihuahuita) and
 2006 Certificates of Obligation
 Proposal No.: 2009-277
District: 8
 [Engineering, R. Alan Shubert, (915) 541-4423]

11. FINANCIAL SERVICES:

11A. Discussion and action on the award of Solicitation No. 2009-265 (Security Guard Services) to Ruiz Protective Services, Inc., for a total estimated amount of \$687,070.56.

Department: Zoo
 Award to: Ruiz Protective Services, Inc.
 El Paso, TX
 Items: All (original offer)
 Option: Two years
 Annual Estimated Amount: \$229,023.52
 Account No.: 52152001 – 15445 – 502212
 Funding Source: Zoo Operations/Gate Revenue/Security Contracts
 Total Estimated Award: \$687,070.56 (3-year total)
Districts: All

This is a thirty-six month 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 Zoo recommend award to Ruiz Protective Services, Inc., the vendor offering the best value bid.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
 [Zoo, Steve Marshall, (915) 521-1850]

11B. Discussion and action on the award of Solicitation No. 2009-235 (Motor Oil, Lubricants, Transmission, and Hydraulic Fluids) to C & R Distributing, Inc., for a total estimated award of \$2,500,000.

Department: General Services
 Award to: C & R Distributing, Inc.
 El Paso, TX
 Items: All (Chevron bid)
 Option: One or two years

Annual Estimated Amount: \$1,250,000
 Account No.: 37370510 – 503121 – 45202
 Funding Source: Internal Service Fund
 Total Estimated Award: \$2,500,000 (2 year total)
Districts: All

This is a twenty-four month 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 General Services recommend award as indicated to the lowest responsive, responsible bidder.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
 [General Services, Stuart Ed, (915) 621-6822]

- 11C.** Discussion and action on the award of Solicitation No. 2010-007 (Stress Management Services) to Integrity Employee Assistance, Inc., for a total estimated award of \$522,000.

Department: Police
 Award to: Integrity Employee Assistance, Inc.
 El Paso, TX
 Items: All
 Option: Two years
 Annual Estimated Amount: \$174,000
 Account No.: 21010050 – 502215 – 01101
 Funding Source: General Funds
 Total Estimated Award: \$522,000 (3 year total)
Districts: All

This is thirty-six month requirements type contract for counseling and stress management services for sworn Police Department employees.

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 Police recommend award as indicated to Integrity Employee Assistance, Inc., the vendor offering the best value bid.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]
 [Police Department, Eric Shelton, (915) 564-7357]

- 11D.** Discussion and action on the award of Solicitation No. 2009-291 (Mast Arm Poles) to Reliapole Solutions, Inc. for a total estimated award of \$1,000,914.

Department: Street

Award to: Reliapole Solutions, Inc.
 Magnolia, TX
 Items: All
 Option: 2 years
 Annual Estimated Amount: \$ 333,638
 Account No.: 32010288 – 503203 - 01101
 Funding Source: General Funds and Signal/Flasher Installation
 Total Estimated Award: \$1,000,914 (3 year total)
Districts: All

This is a thirty-six month 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 Street recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313] [Street Department, Daryl Cole, (915) 621-6750]

- 11E. Discussion and action authorizing an agreement with Maxim Healthcare Services to provide medical staffing and support personnel in an amount not to exceed \$500,000 to assist in administering H1N1 immunizations to the public and that the City Manager be authorized to increase the contract for a contingency amount up to \$250,000 if the H1N1 vaccine situation changes and requires a longer duration of the vaccination campaign.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this purchase.

Department: Department of Public Health
 Account No.: 41150023 – 502215 – 06340
 Funding Source: Pandemic Influenza Grant Funding
 Total Estimated Amount: \$500,000
 Additional Contingency Amount: \$250,000
 Reference No.: 2010-052
Districts: All
 Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313
 [Public Health, Pat Fowler, (915) 771-5778]

REGULAR AGENDA – PUBLIC HEARINGS

12. ENGINEERING:

- 12A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso City Code by adding John Hayes Street and Tierra Este Road from Zaragoza Road south to the city limits to Subsection H (Forty-Five Miles per Hour); the

penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 5)**

[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

- 12B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso City Code by adding Paseo Del Este Drive from Joe Battle Boulevard east to its terminus to Subsection H (Forty-Five Miles per Hour); the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 6)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

- 12C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 Schedule I (One Way Streets), of the El Paso City Code by deleting the following streets: Number 3, Florence Street, south between Texas Avenue and San Antonio Avenue; Number 4, Ochoa Street, north between San Antonio Avenue and Texas Avenue; Number 27, Ochoa Street, southbound between San Antonio Avenue and Paisano Drive; and Number 28, Florence Street, northbound between Paisano Drive and Overland Avenue; the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 8)**

[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

- 12D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso City Code by amending Subsection F (Thirty-Five Miles per Hour), Number 87, from Sun Fire Boulevard from Zaragoza Road to Flora Alba Drive to Sun Fire Boulevard; the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 6)**

[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

13. FINANCIAL SERVICES:

An Ordinance authorizing the City Manager to execute a lease agreement between the City of El Paso and River Oaks Properties, LTD, ("River Oaks") to use the surface of a portion of an identified 60-foot easement leased to The El Paso Natural Gas in Tract 1P1, H.G. Foster Survey No. 256, City of El Paso, El Paso County, Texas.

(All Districts) [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

REGULAR AGENDA – OTHER BUSINESS

14. MAYOR AND COUNCIL:

- 14A.** Presentation by Mayor Cook and Governmental Relations staff regarding Team El Paso trip to Washington D. C. [Mayor John F. Cook, (915) 541-4145]

14B. LEGISLATIVE REVIEW COMMITTEE REPORT:

1. For notation: Formal report of Fiscal Affairs & Management Support/Internal Audit Legislative Review Committee meeting held on September 24, 2009, as submitted by Representative Rachel Quintana; and

2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a) Kronos equipment regarding El Paso Police and Fire Department employees
 - b) The 2009 - 2010 Audit Plan
 - c) The City's Debt Management Policy
 - d) The City's Investment Policy
 - e) Proposal to change the City's Fiscal Year End
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

14C. LEGISLATIVE REVIEW COMMITTEE REPORT:

1. For Notation: Formal Report of the Intergovernmental Affairs Legislative Review Committee meeting held on September 17, 2009, as submitted by Mayor John F. Cook, Chair; and
2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
 - a) Status of Transportation Reauthorization Act and how the proposed legislation may effect the City of El Paso transportation and mobility programs
 - b) Procedure and timeline to engage state and federal lobbyists and proposed scope of work for each.
[Mayor John F. Cook, (915) 541-4145]

- 14D.** Discussion and action to do away with all Legislative Review Committees and bring all items directly to Council. [Representative Eddie Holguin, (915) 541-4178]

15. ECONOMIC DEVELOPMENT:

Discussion and action on a Resolution approving the Empowerment Zone Commercial Façade Improvement Program Guidelines, and further, authorizing the City Manager to execute façade improvement agreements in accordance with Program requirements and any related documents, upon review and approval of the City Attorney.

(Districts 1, 3, 6, 7, and 8) [Economic Development, Kathryn B. Dodson, (915) 541-4872]

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 551.072	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.** 800 S. Piedras, El Paso, Texas. (551.072) [Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]
POSTPONED FROM 09-15-09 AND 09-29-09
- EX2.** 3228 Sacramento, El Paso, Texas. (551.072) [Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]
POSTPONED FROM 09-15-09 AND 09-29-09
- EX3.** Diana Kirk v. City of El Paso, Cause No. 2008-3447. (551.071)
[City Attorney's Office, Laura P. Gordon, (915) 541-4550] POSTPONED FROM 10-06-09
- EX4.** Discussion and action on legal issues regarding the El Paso Downtown Management District. (551.071) [City Attorney's Office, Josette Flores, (915) 541-4550]
- EX5.** Discussion and action on legal issues regarding Franchise Agreement with ONEOK WesTex Transmission, LLC. (551.071) [City Attorney's Office, Bertha A. Ontiveros, (915) 541-4550]
- EX6.** Discussion and action regarding litigation strategies related to defective street signs. (551.071) [City Attorney's Office, Audrey Hare, (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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