

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

AGENDA FOR REGULAR COUNCIL MEETING

October 16, 2012
COUNCIL CHAMBERS, CITY HALL
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
October 15, 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 CIMA CHAPLAIN CARLOS CLUGY-SOTO

PLEDGE OF ALLEGIANCE

MAYOR'S PROCLAMATIONS

1. WHITE CANE SAFETY MONTH
2. BOWIE ALUMNI HOMECOMING WEEK
3. AMIGO AIRSHO WEEK
4. EL PASO BUFFALO SOLDIERS MOTORCYCLE CLUB'S
3RD ANNUAL CHARITY BANQUET 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.

REGULAR AGENDA – OTHER BUSINESS

1. MAYOR AND COUNCIL:

Overview of the Greater El Paso Chamber of Commerce’s mission.
[Mayor John F. Cook, (915) 541-4145]

CONSENT AGENDA

2. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of October 9, 2012.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

3. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

4. BOARD APPOINTMENTS:

- 4A.** Richard V. Teschner to the Open Space Advisory Board by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4515]
- 4B.** Marc A. Salazar to the Fair Housing Task Force Board by Representative Emma Acosta, District 3. [Representative Emma Acosta, (915) 541-4515]

REGULAR AGENDA - INTRODUCTIONS

5. 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.**

- 5A.** An Ordinance amending Title 18 (Building & Construction), Chapter 18.46 (Landscape), Sections 18.46.070 (Plans Required) and 18.46.110 (Irrigation)

Standards) and Chapter 18.47 (Irrigation Systems), Sections 18.47.080 (Irrigation Plan Design: Minimum Standards) and 18.47.090 (Design and Installation: Minimum Requirements) of the El Paso City Code, to add Architects & Engineers as permitted designed professionals for Landscape and Irrigation plans, and to move the Irrigation Standards from the Landscape Code to the Irrigation Systems Code, the penalty being as provided in Sections 18.46.320 (Violations-Penalty) and 18.47.180 (Enforcement) of the El Paso City Code.

(All Districts) [City Development, Victor Morrison-Vega, (915) 541-4556]

PUBLIC HEARING WILL BE HELD ON OCTOBER 30, 2012, FOR ITEM 5A

- 5B.** An Ordinance amending Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Section 21.30.100 (Environmental Standards) and Chapter 21.70 (Definitions) of the El Paso City Code, to add a new designation of utility green space specific to Transect Zone 1 and to add new definitions for the terms “conservation covenant”, “stormwater open space” and “utility green space”; and to address preliminary plat and regulating plans. The penalty being as provided in Chapter 21.60 (Enforcement and Penalty) of the El Paso City Code.

(All Districts) [City Development, Elizabeth Gibson, (915) 541-4730]

- 5C.** An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), 20.10 (Supplemental Use Regulations), and Appendix A (Table of Permissible Uses) of the El Paso City Code to add a definition for “conservation covenant”, “stormwater open space” and “utility green space”, and to add standards for the use of utility green space. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**

[City Development, Elizabeth Gibson, (915) 541-4730]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 6, 2012, FOR ITEMS 5B - 5C

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

6. INTRODUCTION AND PUBLIC HEARING – FINANCIAL SERVICES:

- 6A.** An Ordinance authorizing the issuance of “City of El Paso, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2012” and resolving matters which are necessary to effectuate said issuance, including a delegation of authority in an amount not to exceed \$63 million. **(All Districts)**

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

- 6B.** An Ordinance authorizing the issuance of “City of El Paso, Texas, General Obligation Refunding Bonds, Series 2012” and resolving matters which are necessary to effectuate said issuance, including a delegation of authority in an amount not to exceed \$23,260,000. **(All Districts)**

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

7. CITY ATTORNEY:

An Ordinance authorizing the City Manager to execute a Quitclaim (Tax Resale) Deed conveying all right, title and interest in real properties described as Lots 12 thru 14, inclusive, Block 57; Lots 15 thru 20, inclusive; Block 57, Lots 31 and 32; Block 57 and Lot 33, Block 57, Wilco Subdivision Unit No. 2, El Paso County, Texas, to John Kaba and Barbara Paul, in accordance with Section 34.05 (h) of the Tax Code. **(County)**

[Sol M. Cortez, Assistant City Attorney, (915) 541-4550]

8. CITY DEVELOPMENT:

8A. 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]

8B. 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]

8C. An Ordinance changing the zoning of Lots 9-14, Block 25, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2413 Tremont Avenue. Property Owner: Hector F. Barraza. PZRZ12-00022 **(District 2)**

[City Development, Andrew Salloum, (915) 541-4633]

REGULAR AGENDA – OTHER BUSINESS**9. CITY MANAGER:**

Discussion and action on agreement between City of El Paso and Municipal Police Officer's Association in reference to Grievance #EP-11-131, EPMPOA, Wage Formula Provisions and that the City Manager or designee be authorized to sign the Agreement and effectuate all documentation related to this agreement.

[City Manager's Office, David Almonte, (915) 541-4855]

10. MAYOR AND COUNCIL:

10A. Discussion and action on a Resolution that Mayor John Cook be authorized to submit comments to the Texas Department of Housing and Community Affairs (TDHCA) and the Texas Sunset Commission on behalf of the City of El Paso during the public comment period regarding rules and regulations governing housing tax credits. [Mayor John F. Cook, (915) 541-4145]

- 10B.** Discussion and action on a Resolution that the El Paso City Council supports the activities of the Ysleta del Sur Pueblo at the Speaking Rock Entertainment Center. [Mayor John F. Cook, (915) 541-4145]

- 10C.** Discussion and action 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]
POSTPONED FROM 10-09-12

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.

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| 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.** PUC Docket No. 40301, SOAH Docket 473-13-0043, Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for Two Generating Units at the Montana Site in Texas. (551.071)
 [Sylvia Borunda Firth, City Attorney, (915) 541-4550]

- EX2.** Lorenzo Juarez vs. City of El Paso, Cause No. 2008-3827 (551.071)
 [Laura P. Gordon, City Attorney's Office, (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 THURSDAY AT THE ADDRESS BELOW:

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