

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

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE
10th FLOOR CONFERENCE ROOM
October 29, 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, FIRE AND CIMA CHAPLAIN SAM FARAONE

PLEDGE OF ALLEGIANCE

RECOGNITION

CITY EMPLOYEES

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 October 23, 2012 and the Special City Council Meeting of October 18, 2012.

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

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the Director of Aviation be authorized to submit a minor boundary modification application and all supporting documents and to coordinate with taxing entities for letters of support to establish a subzone to Foreign Trade Zone No. 68 for two non-contiguous proposed subzone sites which are located in El Paso County, Texas at the following addresses:

A. 1450 Pullman Drive, Suite 100, El Paso, Texas 79936

B. 1313 Don Haskins Drive, El Paso, Texas 79936

(All Districts) [Airport, Monica Lombraña, (915) 780-4724]

3B. That the Mayor be authorized to sign a First Amendment to the Interlocal Agreement for Economic Development Contract Administration Services by and between the County of El Paso and the City of El Paso for more effective and efficient attraction of business and industry to locate or expand in the City and County of El Paso executed on March 3, 2008, to add provisions for hiring 2 personnel to assist in developing a Business Plan for rural and small towns located within El Paso County. **(All Districts)**

[City Development, Marty Howell, (915) 541-4925]

4. BOARD APPOINTMENT:

Regina Wagner to the Animal Shelter Advisory Committee by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

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 19 (Subdivisions), Chapter 19.03 (Preliminary Plat), Chapter 19.05 (Development Plats), Chapter 19.50 (Definitions) Chapter 19.08 (Construction Plans), Chapter 19.10 (Dedication, Construction Requirements and City Participation), and Chapter 19.20, (Parks and Open Space) of the El Paso City Code to amend the criteria for preliminary plat approval, to add an exception to the plat requirement, to add a definition for Conservation Covenant, Stormwater Open Space and Utility Green Space, to amend phasing plans for subdivision improvements, to amend the roadway participation policies and to add an exclusion for parkland dedication. The penalty is as provided in Chapter 19.42 of the City of El Paso City Code.
(All Districts) [City Development, Kimberly Forsyth, (915) 541-4668]
- 5B.** An Ordinance amending Title 2 (Administration and Personnel) Chapter 2.22 (Open Space Advisory Board), of the El Paso City Code, to establish a procedure for allowing outside agencies to appear before the Open Space Advisory Board.
(All Districts) [City Development, Mathew McElroy, (915) 541-4193]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 6, 2012, FOR ITEMS 5A – 5B

- 5C.** An Ordinance to correct an error in Ordinance No. 017853 which amended conditions placed by Ordinance No. 06245 and placed one new condition on Lots 11 and 12, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas and released conditions imposed by Ordinance No. 17313 on Lots 13 and 14, Block 2, Sahara Subdivision, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Parcel 1: 9950 Dyer Street and Parcel 2: 9944 Dyer Street. Property Owner: Juan Gandara and, Antonio and Laura Mendoza. PZCR12-00002.
(District 4) [City Development, Andrew Salloum, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON DECEMBER 4, 2012, FOR ITEMS 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 – OTHER BIDS, CONTRACTS, PROCUREMENTS

6. INFORMATION TECHNOLOGY:

- 6A.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to TW Telecom of Texas LLC, a contractor under the Department of Information Resources (DIR) Contract No. DIR-TEX-AN-NG-CTSA-006 for the purchase of IP Trunk Service and Direct SIP Phone Services. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resources (DIR) Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

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| Department: | Information Technology |
| Award to: | TW Telecom of Texas LLC Littleton, CO |
| Annual Estimated Amount: | \$ 38,076 |
| Total Estimated Award: | \$114,228 (3 Years) |
| Account No.: | 239 – 15070 – 540000 – 1000 |
| Funding Source: | IT General Fund |
| Reference No.: | 2013-069 |
| Districts: | All |

This is a Cooperative, unit price contract.

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.

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Information Technology, Miguel Gamino, (915) 541-4746]

- 6B.** Discussion and action on the award of Solicitation No. 2012-252 (VOIP Telephony and Network Infrastructure) to Sigma Technology Solutions, Inc., for an initial term award of \$6,898,523.

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| Department: | Information Technology |
| Award to: | Sigma Technology Solutions, Inc. San Antonio, TX |
| Items: | All |
| Discount: | 54% Discount of Published Catalog Prices |
| Option: | 1 Year |
| Initial Term: | 2 Years |
| Initial Term Estimated Award: | \$ 6,898,523.00 |
| Option Year Estimated Award: | \$ 3,449,261.50 |
| Total Estimated Award: | \$10,347,784.50 (3 Years) |
| Account Nos.: | 239 – 28340 – 580100 – 4560 – PCP12IT010 239 – 28340 – 580100 – 4560 – PCP12IT030 239 – 28290 – 580100 – 4710 – PCP09IT020 239 – 28340 – 580100 – 4560 – PCP12IT020 239 – 28340 – 580100 – 4560 – PCP12IT050 239 – 28340 – 580100 – 4560 – PCP12IT060 |
| Funding Source: | IT Capital Funds |
| Districts: | All |

This is a Low Bid, catalog pricing agreement.

The Financial Services - Purchasing Division and Information Technology recommend award to Sigma Technology Solutions, Inc, the lowest bidder.

Net Direct Systems, Inc. bid a brand other than specified and did not provide sample pricing as required and was deemed non-responsive

[Financial Services, Bruce D. Collins, (915) 541-4313]

[Information Technology, Miguel Gamino, (915) 541-4746]

REGULAR AGENDA – PUBLIC HEARINGS**7. INTRODUCTION AND PUBLIC HEARING – EL PASO WATER UTILITIES:**

An Ordinance authorizing the issuance of “City of El Paso, Texas, Water and Sewer Revenue Refunding and Improvement Bonds, Series 2012A”; in an amount not to exceed \$87,435,000 and resolving matters which are necessary to effectuate said issuance, including the delegation of matters relating to the sale and issuance of the Bonds to an authorized City Officer or employee within certain specified parameters. **(All Districts)** [El Paso Water Utilities, Marcela Navarrete (915) 594-5614]

8. CITY DEVELOPMENT:

8A. An Ordinance granting Special Permit No. PZST12-00012, to allow for infill development with reduced lot area and reduced lot width on the property described as Lot 34, Block 12, Revised Map of Sahara Subdivision, 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: 5619 Saluki Drive. Property Owner: David Velasco. PZST12-00012 **(District 4)**
[City Development, Andrew Salloum, (915) 541-4633]

8B. An Ordinance changing the zoning of the following real property know as: Parcel 1: Lots 1 to 6 and portion of 7, Block 209, Alexander Addition, City of El Paso, El Paso County Texas, from C-1 (Commercial) to G-MU (General-Mixed Use); and , Parcel 2; Portion of Lots 7 to 10, Block 209, Alexander Addition City of El Paso, El Paso County, Texas, from C-1 (Commercial) to G-MU (General-Mixed Use); and , Parcel 3: Parcels 11 to 20, Block 209, Alexander Addition, City of El Paso, El Paso County, Texas, from A-O/sp (Apartment Office/Special Permit) to G-MU (General-Mixed Use), and repealing special permit no. SP93-04. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2501 and 2025 North Mesa. Property Owner: EP Del Mesa Partners, LP. PZRZ12-00019 **(District 1)** [City Development, Arturo Rubio, (915) 541-4633]

8C. An Ordinance changing the zoning of a portion of Lot 4, Block 1, of the Replat of Artcraft Park, City of El Paso, El Paso County, Texas From R-3 (Residential) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8000 Artcraft Road. Property Owners: Helen S. Coles, Otis C. Coles III and Suzanne E. Hubbard. PZRZ12-00013 **(District 1)** [City Development, Arturo Rubio, (915) 541-4633]

8D. 1. An Ordinance approving the “Southern Industrial Park Master Plan” as a study area plan to be incorporated into the City’s comprehensive plan, Plan El Paso, and that the future land use map contained in the Plan El Paso be amended to incorporate the land uses contained in the “Southern Industrial Park Master Plan”. PLRG12-00011 **(Districts 2 and 3)**
[City Development, Elizabeth Gibson, (915) 541-4730]

2. An Ordinance amending Title 21 (SmartCode), Chapter 21.40 (Infill Community Plans), Section 21.40.020 (Infill Community Types), Section 21.40.070 (Special Requirements), and Chapter 21.80 (Tables), Section 21.80.240 (Table 16 Special District Standards) of the El Paso City Code, to

clarify the SmartCode provisions, to calibrate the SmartCode to the local character of the place and local conditions for infill development, and to revise the Special District Standards Table; the penalty is as provided for in Chapter 21.60 of the El Paso City Code. **(All Districts)**
[City Development, Elizabeth Gibson, (915) 541-4730]

3. An Ordinance changing the zoning of the following legally described 13,786,305 sq. ft. tract of land being situated in portions of El Paso International Airport Tracts 1-11 and located in portions of Ascarate Grant, Tract 4, Block 2, within the City of El Paso, El Paso County, Texas from C-1 (Commercial), C-2/sp (Commercial/special permit), C-4 (Commercial), C-4/sp (Commercial/special permit), C-4/c (Commercial/condition), and M-1 (light manufacturing) to SCZ (SmartCode Zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. PZRZ12-00026 **(Districts 2 and 3)**
[City Development, Elizabeth Gibson, (915) 541-4730]

- 8E. 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]
- 8F. An Ordinance amending Ordinance No. 016874 which granted a special privilege license to ONIHC, L.L.C. permitting the encroachment onto public right-of-way of a sidewalk cafe located at 504 West San Antonio Avenue, to approve the assignment of the special privilege license from ONIHC, L.L.C. to Lava Entertainment Group, LLC and to adjust the annual fee for the special privilege license. (SPL07-00018) **(District 8)**
[City Development, Mirian Spencer, (915) 541-4056]
- 8G. An Ordinance granting a special privilege license to Edgar Lopez for the construction, installation, maintenance, use, and repair of a pedestrian bridge and walkway within portions of City right-of-way along Wheeling Avenue adjacent to the property located at 2308 Wheeling Avenue (NESV12-00029) **(District 2)**
[City Development, Mirian Spencer, (915) 541-4056]

REGULAR AGENDA – OTHER BUSINESS

9. ENGINEERING AND CONSTRUCTION MANAGEMENT:

Discussion and action on Resolutions authorizing the City Manager to sign the two-year On-Call Agreements for Professional Services by and between the City of El Paso and the Consultant Firms listed on Attachment A, for an amount not to exceed \$500,000 per agreement; and that the City Engineer be authorized to approve up to \$50,000 in additional services per agreement, for a total contract amount not to exceed \$550,000 per agreement. **(All Districts)**
[Engineering and Construction Management, Irene D. Ramirez, (915)541-4428]

10. MAYOR AND COUNCIL:

- 10A.** Discussion and action to direct staff to include a notification of district offices of park renaming requests. [Representative Michiel Noe, (915) 541-4189]
- 10B.** Discussion and action to direct staff to review the adoption of the 2008 subdivision code and establish a committee to review impacts on neighborhood design and development costs. The committee shall be comprised of interested stakeholders who will review and revisit recent amendments in order to determine if additional changes, amendments or clarifications should be made. [Representative Michiel Noe, (915) 541-4189]
- 10C.** Discussion and action on creating a policy that all Department Heads hired in the future are from within the ranks of the City of El Paso. [Representative Eddie Holguin, Jr., (915) 541-4178]
- 10D.** Presentation and discussion on the “City’s current outstanding authorized debt, debt issued to date, pending debt in the next 5 years, 10 years, to include the financing of the Baseball Stadium Debt, City Hall Relocation Debt, and possible Quality of Life Bonds Debt,” presented by the Chief Financial Officer. [Representative Emma Acosta, (915) 541-4400]
- 10E.** Discussion and action pertaining to proposed spending and funding sources for Triple A Baseball Park (Venue) and Quality of Life Bonds. [Representative Carl L. Robinson, (915) 541-4400]

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 |

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/>