

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
MELINA CASTRO, 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

**November 4, 2008
Council Chambers, City Hall
9:00 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 Hospice Chaplain Sam Faraone
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

- 1. DIABETES MONTH**
- 2. PERIOPERATIVE NURSES WEEK**
- 3. FIGHT AGAINST HUNGER MONTH**
- 4. YWCA SENIOR HOUSING DAY**

RECOGNITIONS

- 1. THE STAR ON THE MOUNTAIN AWARD - TANNER FINCHER**
- 2. GADSDEN HIGH SCHOOL - DEAF AND HARD OF HEARING CLASS - MS. LISA AGUILAR, TEACHER**

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 28, 2008.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTION:

That Jane Shang, Deputy City Manager for Mobility Services of the City of El Paso, be appointed to the Transportation Policy Board for the Metropolitan Planning Organization as the El Paso International Airport representative in lieu of Patrick T. Abeln, effective immediately. **(All Districts)** [Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]

4. SPECIAL APPOINTMENTS:

4A. Appointment of Audrey Hare as Assistant City Attorney effective November 4, 2008. **(All Districts)**
[City Attorney's Office, Charlie McNabb, (915) 541-4550]

4B. Appointment of Kristen Choi as Assistant City Attorney effective November 17, 2008. **(All Districts)**
[City Attorney's Office, Charlie McNabb, (915) 541-4550]

4C. Appointment of Kenneth Krohn as Assistant City Attorney effective December 1, 2008. **(All Districts)**
[City Attorney's Office, Charlie McNabb, (915) 541-4550]

5. BOARD APPOINTMENTS:

5A. Ramon Jimenez to the Foster Grandparent Program Advisory Council by Representative Rachel Quintana, District 5.
[Representative Rachel Quintana, (915) 541-4701]

5B. Daniel Ortiz to the Empowerment Zone Advisory Board by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4108]

REGULAR AGENDA - INTRODUCTIONS

6. 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.**

- 6A.** 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 Number 38, Oregon Street from Arizona Avenue to San Antonio 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]
- 6B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 Schedule XIV (Speed Limits), G (Forty-Miles per Hour), of the El Paso City Code by adding Helen of Troy Drive between Desert North Boulevard and the east City Limits; the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 1)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]
- 6C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 Schedule III (Parking Prohibited at All Times on Certain Streets) of the El Paso City Code by adding Helen of Troy Drive, both sides; the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code. **(District 1)**
[Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 11, 2008, FOR ITEMS 6A – 6C

- 6D.** An Ordinance changing the zoning of a portion of a replat of Ysleta Industrial District, City of El Paso, El Paso County, Texas, from M-1 (Manufacturing) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 336 N. Zaragoza Road. Applicant: E.P Summit Investments, L.P. ZON08-00066 **(District 6)**
[Development Services/Planning, Arturo Rubio, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON DECEMBER 2, 2008, FOR ITEM 6D

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 – PUBLIC HEARINGS

7. DEVELOPMENT SERVICES:

- 7A.** An Ordinance changing the zoning of a portion of Tract 10A, 11A, 12A, and 13A, Block 54, Ysleta Grant, City of El Paso, El Paso County, Texas, from A-M/SC (Apartment-Mobile Home Park/Special Contract) to R-5/SC (Residential/Special Contract). The penalty is as provided for in Chapter 20.24 of the El Paso City

Code. Subject property: north of Highland Avenue and south of Yermoland Drive. Applicant: Nadia T. Saab. ZON08-00047 **(District 7)**
[Development Services/Planning, Arturo Rubio, (915) 541-4633]

- 7B.** An Ordinance granting Special Permit No. ZON08-00042 to allow for a planned residential development with reduced side setbacks and reduced lot depths on a portion of Tract 10A, 11A, 12A, and 13A, Block 54, Ysleta Grant, City of El Paso, El Paso County, Texas, pursuant to section 20.04.270 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: north of Highland Avenue and south of Yermoland Drive. Applicant: Nadia T. Saab. ZON08-00042 **(District 7)**
[Development Services/Planning, Arturo Rubio, (915) 541-4633]

8. FINANCIAL SERVICES:

An Ordinance authorizing the City of El Paso to sell all of Lots 1, 2, and 3, Block 107, Highland Park Addition, commonly known as 2201 North Piedras Street, El Paso, El Paso County, Texas, to Victor F. Nevarez d/b/a Sunset Carpets. **(District 2)**
[Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

9. TAX OFFICE:

- 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 Lot 16, Block 21, Del Norte Acres Addition, an Addition to the City of El Paso, being more particularly described in Volume 560, Page 524, Deed Records of El Paso County, Texas, to MJ Real Properties Inc. **(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 described as the southerly portion of Lot 10, Block 10, Lomas Del Rey Replat, an Addition to the City of El Paso County, Texas, to MJ Real Properties Inc. **(District 8)**
[Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, Carmen Perez, (915) 545-5481]
- 9C.** An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property described as 0.075 acres in Tract 1, (18' X 170.06'), beginning 338.73' southwest of the southeast corner, La Sierra Vista #2, Replat, an Addition to the City of El Paso, El Paso County, Texas, to MJ Real Properties Inc. **(District 8)**
[Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, Carmen Perez, (915) 545-5481]
- 9D.** An Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title, and interest in real property described as .50 acres, out of Tracts 18 and 19, Canutillo Townsite, being more particularly described in Volume 793, Page 868, Deed Records of El Paso County, Texas, to MJ Real Properties Inc. **(District 1)**
[Delgado, Acosta, Spencer, Linebarger, and Perez, LLP, Carmen Perez, (915) 545-5481]

REGULAR AGENDA – OTHER BUSINESS

10. ENGINEERING:

- 10A.** Discussion and action on a Resolution expressing the City of El Paso's intent to create Transportation Reinvestment Zone No. 1 to finance transportation projects

in support of the Comprehensive Mobility Plan for El Paso; setting the date for a public hearing on the designation of the zone and its benefits to the municipality and to property in the proposed zone; and authorizing the City Manager to publish notice of the hearing in a newspaper having general circulation in the municipality. **(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]

10B. Discussion and action on Tierra Commercial Unit 5 Subdivision Plat proportionality appeal submitted by River Oaks Properties, Ltd and Ranchos Real XII, Ltd under Section 19.46 of the El Paso City Code. **(District 5)**
[Engineering, R. Alan Shubert, (915) 541-4423]

11. MOBILITY SERVICES:

Discussion and action on a Resolution authorizing the Mayor to sign an amended application for financial assistance for the City, on behalf of the Camino Real Regional Mobility Authority, in the amount of \$3,075,000 to be filed with the State Infrastructure Bank (SIB), and other related and necessary documents, for a project referred to as the I-10 at Loop 375 (Americas Interchange) Project. **(All Districts)**
[Mobility Services, Jane Shang, (915) 541-4686]

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

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:

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