

OSCAR LEESER
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

**LEGISLATIVE REVIEW MEETING OF THE WHOLE MINUTES
MAIN CONFERENCE ROOM, 2ND FLOOR
CITY HALL, 300 N. CAMPBELL
OCTOBER 28, 2013
9:00 A.M.**

The City Council met at the above place and date. Meeting was called to order at 9:02 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Michiel R. Noe, Lilia Limón, Cortney Carlisle Niland. Not present: Emma Acosta, Carl Robinson, and Eddie Holguin, Jr.

The following agenda items were discussed. No action was taken on any of the items.

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3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso (“Lessor”), The Lincoln National Life Insurance Company (“Assignor”) and SL EP Industrial, LP (“Assignee”) for the following described property: All of Lot 3 and a portion of Lot 4, Block 12, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 22 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3B. That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso (“Lessor”), The Lincoln National Life Insurance Company (“Assignor”) and SL EP Industrial, LP (“Assignee”) for the following described property: A portion of Lot 4 and a portion of Lot 5, Block 12, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 24 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3C. That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso (“Lessor”), The Lincoln National Life Insurance Company (“Assignor”) and SL EP Industrial, LP (“Assignee”) for the following described property: A portion of Lot 3, a portion of Lot 5, and all of Lot 4, Block 13, Butterfield Trail Industrial Park Unit Two; and a portion of Lot 8, Block 13, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 25 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3D. That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso (“Lessor”), The Lincoln National Life Insurance Company (“Assignor”) and SL EP Industrial, LP (“Assignee”) for the following described property: A portion of Lot 5, Block 13, Butterfield Trail Industrial Park Unit Two and all of Lot 6 and a portion of Lot 7, Block 13, Butterfield Trail Industrial Park Unit Three, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 27 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3E. That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso (“Lessor”), The Lincoln National Life Insurance Company (“Assignor”) and SL EP Industrial, LP (“Assignee”) for the following described property: All of Lot 7 and a portion of Lot 8, Block 12, Butterfield Trail Industrial Park Unit Two, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 28 Spur Drive, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3F. That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso (“Lessor”), The Lincoln National Life Insurance Company (“Assignor”) and SL EP Industrial. LP (“Assignee”) for the following described property: A portion of Lot 1 and a portion of Lot 2, Block 10, Butterfield Trail Industrial Park Unit Two, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 28 Butterfield Trail, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

3G. That the City Manager be authorized to sign a Lessor’s Approval of Assignment of the Restated Butterfield Trail Industrial Park Lease by and among the City of El Paso (“Lessor”), The Lincoln National Life Insurance Company (“Assignor”) and SL EP Industrial, LP (“Assignee”) for the following described property: A portion of Lot 2 and a portion of Lot 3, Block 10, Butterfield Trail Industrial Park Unit Two, an addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 40 Butterfield Circle, El Paso, Texas. **(All Districts)** [Airport, Monica Lombraña, (915) 780-4724]

Mayor Leeser commented.

Mr. Jeff Schultz, EPIA, commented

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9. CITY DEVELOPMENT:

9A. An Ordinance granting Special Permit No. PZST13-00008, to allow for infill development with a 50 percent parking reduction on the property described as Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, 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: 5000 Riley. Property Owner: RNR Properties. PZST13-0008 **(District 2)** [City Development, Michael McElroy, (915) 541-4238]
[POSTPONED FROM 10-15-2013]

Mayor Leeser and Representatives Noe and Niland commented.

The following City staff members commented:

1. Mr. Carlos Gallinar, Deputy Director for Planning, City Development
2. Ms. Sylvia Firth, City Attorney
3. Mr. Matthew McElroy, Director of City Development

Ms. Lisa Turner, Citizen, commented.

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9B. An Ordinance amending Title 18 (Building and Construction), Chapter 18.02 (Building and Construction Administrative Code), Section 18.02.106 (Permit Fees), Subsection 18.02.106.28 (Starting work without a permit, of the El Paso City Code, to increase the amount of the permit fee for starting work without a permit on commercial property, to establish a permit fee for contractors starting work on residential property without a permit and to establish a permit fee for homeowners starting work on their

own residential property without a permit, the Penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City Code. **(All Districts)** [City Development, Victor Morrison-Vega, (915) 541-4556]

Representative Lilly commented
Mr. Matthew McElroy, Director of City Development, commented.

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12A. Discussion and action to separate the pilot bike share program from the larger program in order to implement the pilot project.
[Representative Michiel R. Noe, (915) 541-4701]

Representative Noe commented.

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12B. Discussion and action on the Lincoln Center acquisition status. [Representative Lily Limón, (915) 541-4124]
[POSTPONED FROM 10-22-2013]

Mayor Leeser and Representatives Limón and Niland commented.

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12C. Discussion, action, and presentation by Union Pacific on the train derailment that occurred on October 19th that has caused damage to Interstate 10 near the Cotton overpass, causes of the derailment, necessary structure repairs, timeframe for repairs, costs of repairs, reimbursement of repairs and personnel by UP, to state and the City of El Paso and any other entity involved for necessary detouring of traffic onto city streets and public safety personnel utilized. [Representative Emma Acosta, (915) 541-4515]

Mayor Leeser and Representative Niland commented.

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12D. Discussion and action on amending Chapter 18.08 Building Code 18.08.070 Section 424 Fences.
[Representative Michiel R. Noe, (915) 541-4701]

Representative Noe commented

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LEGISLATIVE REVIEW OF THE WHOLE / WORK SESSION

1. Briefing on background of solid waste operations and finances.
[Environmental Services, Ellen Smyth, (915) 621-6719]
2. Discussion and action on the City's Solid Waste Landfill Options.
[Environmental Services, Ellen Smyth, (915) 621-6719]
3. Discussion and action on a request to postpone the implementation of solid waste flow control.
[Environmental Services, Ellen Smyth, (915) 621-6719]
4. Discussion and action on solid waste franchise fees.
[Environmental Services, Ellen Smyth, (915) 621-6719]
5. Discussion and action on proposed updates to Title 9.04 related to outside storage of tires, permitted haulers, and approved containers.
[Environmental Services, Ellen Smyth, (915) 621-6719]
6. Discussion and action on the City's scrap tire management plan.
[Environmental Services, Ellen Smyth, (915) 621-6719]
7. Briefing on the City's solid waste enforcement and beautification programs related to illegal dumping and demolition material. [Environmental Services, Ellen Smyth, (915) 621-6719]

Mayor Leeser and Representative Noe commented.

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The meeting **ADJOURNED** due to the loss of a quorum at 9:30 a.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk