

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

**November 9, 2010
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 Chaplain Lisle Davis
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

- 1. NATIONAL ALZHEIMER'S DISEASE AWARENESS MONTH**
- 2. MINER ORANGEVILLE WEEK**
- 3. NATIONAL ADOPTION MONTH**
- 4. VETERANS' DAY**

RECOGNITION

JAIME AVITIA - STAR ON THE MOUNTAIN AWARD

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 November 2, 2010.
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign an overhead electrical easement and transformer pad easement to the El Paso Electric Company for the purpose of relocating electrical service for city facilities (Stanton Toll Building) at Mesa and Eighth Streets, El Paso, Texas. Said property being more particularly described as a portion of lots 11 through 18, block 47, Campbell's Addition to the City of El Paso, El Paso County, Texas. **(District 8)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

3B. That the Solid Waste liens on the attachment posted with this agenda be approved. (See attachment A) **(Districts 1, 2, 3, 4 & 8)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

3C. That the Mayor be authorized to sign an Agreement between the City of El Paso and Texas Tech University Health Sciences Center, Department of Internal Medicine, for the provision of health services for the City's Department of Public Health Tuberculosis Control Clinic and the City's Department of Public Health Sexually Transmitted Disease Clinic by physicians from the Texas Tech University Health Sciences Center Department of Internal Medicine, for the period from September 1, 2010 through August 31, 2011. **(All Districts)**
[Health Department, Bruce Parsons, (915) 771-5702]

4. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

4A. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Motorola, Inc., a contractor under Houston – Galveston Area Council (HGAC) Contract #RA01-08 (Communications Equipment & Services), for 15 motorcycle radios. 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 Houston – Galveston Area Council (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department: General Services – Fleet Division
 Total Estimated Award: \$73,842.75 (for 15 units)
 Funding Source: General Services – Vehicle Replacement Fund
 Reference No.: 2011-073

Districts: All
 [General Services, Stuart Ed, (915) 621-6822]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

- 4B. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Rush Truck Center, a contractor under HGAC Contract # HT11-09 (Medium and Heavy Trucks & Truck Bodies), for one Hino 268 Delivery Truck. 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 Houston – Galveston Area Council (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department: General Services – Fleet Division
 Total Estimated Award: \$74,901.24 (for 1 unit)
 Funding Source: General Services – Buses and Large Trucks
 Reference No.: 2011-072

Districts: All
 [General Services, Stuart Ed, (915) 621-6822]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

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 granting to ONEOK Westex Transmission, L.L.C., the right, privilege and franchise to construct, acquire, operate and maintain in certain portions of the City of El Paso, Texas, mains, systems and facilities for the purpose of transporting, delivering and selling natural gas within and through said municipality to customers inside, beyond and outside the limits of said municipality, and for such purposes to use the highways, streets, avenues, alleys, easements, bridges, parks and drainage facilities of said municipality for a period of 20 years. **(All Districts)**
 [City Manager’s Office, William F. Studer, Jr. (915) 541-4252]

- 5B. An Ordinance amending Ordinance No. 16090, which granted a franchise to El Paso Electric Company, to increase street rental charge. **(All Districts)**
 [City Manager’s Office, William F. Studer, Jr. (915) 541-4252]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 16, 2010, FOR ITEMS 5A – 5B

- 5C. An Ordinance granting Special Permit No. ZON10-00068, to allow for infill development on the property described as Lots 14 and 15, Block 4, Map of Hughes Subdivision, Block 1, of Alameda Acres, an Addition to the City of El Paso, El Paso County, Texas, pursuant to Section 20.04.260 Special Permit for 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: 5700 Ybarra Court. Property Owner: Jesus Espino Luna. ZON10-00068 **(District 3)**
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

- 5D. An Ordinance changing the zoning of a portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-5/sp (Residential/special permit) to C-1 (Commercial); and repealing Ordinance No. 15601. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Pebble Hills Boulevard at Hanna Leigh Drive. Applicant: JNC Land, Inc. ZON10-00071 **(District 5)** [Planning and Economic Development, Andrew Salloum, (915) 541-4633]

- 5E. An Ordinance changing the zoning of all of Tracts 1N6 and 1N7, Block 10, Upper Valley Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: East of Westside Drive and North of Gomez Road. Applicant: Keystone Residences, LLC. ZON10-00067 **(District 1)**
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 30, 2010, FOR ITEMS 5C – 5E

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 Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

6. GENERAL SERVICES:

Discussion and action on the award of Solicitation No. 2010-276 (Vehicles – City Fleet) to Rudolph Chevrolet LLC and Casa Ford, Inc. for an initial term estimated award of \$1,677,019.76.

Department:	General Services – Fleet Division
Award to: Vendor 1:	Rudolph Chevrolet LLC El Paso, TX
Items:	Group I Item 1 Group II Item 2 Group II Optional Item: Four Wheel Drive

Initial Term:	2 years
Option to Extend:	None
Initial Term Estimated Award:	\$1,535,682 (2 years)
Total Estimated Award:	\$1,535,682 (2 years)
Award to: Vendor 2:	Casa Ford, Inc. El Paso, TX
Items:	Group I Item 2 Group II Item 1
Initial Term:	2 years
Option to Extend:	Through Manufacturer's Build-Out Date for Model Years 2013, 2014 and 2015
Initial Term Estimated Award:	\$141,337.76 (2 years)
Total Estimated Award:	\$353,344.40 (5 years)
Funding Source:	Equipment Replacement – Cars, Pickups, Vans Green Fleet Vehicles - Vehicular Equipment
Districts:	All

This is a 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 Financial Services - Purchasing Division and General Services – Fleet Division recommend award as indicated to Rudolph Chevrolet LLC and Casa Ford, Inc., the bidders offering the best value bids.

[General Services, Stuart Ed, (915) 621-6822]

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

REGULAR AGENDA – PUBLIC HEARINGS

7. PLANNING AND ECONOMIC DEVELOPMENT:

7A. An Ordinance changing the zoning of Lot 17, 18, and the East 10 feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas from A-2 (Apartment) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2332 Montana Avenue. Applicant: Betsy and Richard Nacim. ZON10-00054 **(District 8)**
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

7B. An Ordinance granting Special Permit No. ZON10-00055, to allow for a 100% parking reduction on the property described as Lot 17, 18, and the East 10 feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 parking reduction of the EL Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2332 Montana Avenue. Applicant: Betsy and Richard Nacim. ZON10-00055 **(District 8)**
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

- 7C.** An Ordinance changing the zoning of Parcel 1: A portion of Lots 1 – 12, Gaal Subdivision, City of El Paso, El Paso County, Texas from R-4/sp (Residential/special permit) to A-O (Apartment-Office), Parcel 2: Tract 12, Block 43, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas from R-F/sp (Ranch-Farm/special permit) to A-O (Apartment-Office), Parcel 3: A portion of Tract 15, Block 43, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to A-O (Apartment-Office), and Parcel 4: Tract 14-A & 16-C, Block 43, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment-Office); and repealing the special permits granted to Parcel 1 and Parcel 2. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 300 S. Zaragoza Road. Applicant: University Medical Center of El Paso. ZON10-00056 **(District 6)** [Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 7D.** An Ordinance changing the zoning of all of Lots 43-49, Block 4, Eastside Industrial District, Unit One, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to M-2 (Heavy Manufacturing), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6880 Industrial Avenue. Applicant: Wayne and Patricia May. ZON10-00040 **(District 3)**
[Planning and Economic Development, Linda Castle, (915) 541-4029]
POSTPONED FROM 08-31-10 AND 10-12-10
- 7E.** An Ordinance vacating the alley between Lots 22 and 23, Block 5, Map of Orchard Addition, City of El Paso, El Paso County, Texas. **(District 3)**
[Planning and Economic Development, Frank Delgado, (915) 541-4238]

REGULAR AGENDA – OTHER BUSINESS

8. ENGINEERING AND CONSTRUCTION MANAGEMENT:

Discussion and action that the Mayor be authorized to sign a Memorandum of Understanding (MOU) regarding the Adoption of the Texas Department of Transportation's (TxDOT) Federally-Approved Disadvantaged Business Enterprise Program (DBE) by the City between the City of El Paso and the Texas Department of Transportation. TxDOT requires the City to enter into this MOU in order for the City to receive Federal Highway Administration funding through TxDOT for City construction projects. TxDOT provides the certification of DBE participants and the City provides TxDOT with data showing compliance with the TxDOT DBE program under this MOU. **(All Districts)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

9. MUSEUMS AND CULTURAL AFFAIRS:

9A. Discussion and action on a Resolution that the City Manager be authorized to sign a Service Agreement by and between the City of El Paso and Vicki Scuri, for the amount of \$127,350 to assist with the creation of a Master Plan for the the I-10 Corridor Aesthetic Improvement Project identified in the 2008 Comprehensive Mobility Plan. **(All Districts)**
[Museums and Cultural Affairs, Sean McGlynn, (915) 541-4896]

- 9B. Discussion and action on a Resolution that the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso and Camino Real Regional Mobility Authority, to cooperatively develop the I-10 Corridor Aesthetic Improvement Project identified in the 2008 Comprehensive Mobility Plan, and for the City to make an amount of up to \$500,000 available to advance as initial funding, which will be reimbursed to the City upon the availability of TxDOT Category 2 funds. **(All Districts)**
[Museums and Cultural Affairs, Sean McGlynn, (915) 541-4896]

10. CITY MANAGER:

City Manager’s report of current events and issues:

Presentation and discussion on the status of the Master Regional Ports of Entry Operations Plan “Operations Plan” as presented by James Brogan, Cambridge Systematics.

(All Districts) [City Manager’s Office, 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 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.

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.** Claim of John Shelby, Our File No. 09-C-172 (551.071)
[City Attorney’s Office, Karla M. Nieman (915) 541-4550]
- EX2.** North Park Mall Purchase (551.071(2))
[City Attorney’s Office, Sylvia Borunda Firth (915) 541-4550]
- EX3.** To receive legal advice pertaining to the initiative petition process and the meaning and effect of the initiative ordinance that was voted on by the electorate on November 2, 2010. (551.071) [City Attorney’s Office, Elaine S. Hengen, (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/>