

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
NOVEMBER 6, 2007
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:34 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Steve Ortega, and Beto O'Rourke. Late arrivals: Melina Castro and Rachel Quintana at 8:37 a.m. during Executive Session deliberations and Jose Alexandro Lozano and Eddie Holguin, Jr. at 8:40 a.m. during Executive Session deliberations. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **DIABETES MONTH**
2. **EL PASO CACTUS HERITAGE MONTH**
3. **NATIONAL ALZHEIMER'S DISEASE MONTH**
4. **WORLD TOWN PLANNING DAY**
5. **OPTIMIST INTERNATIONAL YOUTH APPRECIATION WEEK**

RECOGNITION

**CAROLINA RIVERA, FIRST LOCAL VETERANS EMPLOYMENT REPRESENTATIVE FOR
THE UPPER RIO GRANDE**

A moment of silence was observed for fallen soldier Hugo Mendoza.

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.

The following members of the public commented:

1. Mr. James Perry
2. Ms. Lisa Turner

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, commented.

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Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:34 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- 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 Executive Session items listed on the Agenda.

NOT PRESENT FOR THE VOTE: Representatives Lozano, Castro, Quintana and Holguin

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 9:13 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative O'Rourke

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EX1. Discussion and action related to Asarco pending litigation and other legal matters.

Motion made by Mayor Pro Tempore Lozano, seconded by Representative Ortega, and carried that the City Council **AUTHORIZES** the Mayor to file a letter with the Department of Justice reflecting the position of the City of El Paso and constituting public comment regarding the proposed Settlement Agreement Regarding the El Paso County Metals Survey Site in the bankruptcy case styled In re ASARCO, LLC, No. 05-2120.

- AYES: Representative Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke
- NAYS: None
- ABSTAIN: Representative Lozano

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EX2. Settlement Authority of the City Attorney.

1ST MOTION

Motion made by Representative Ortega, seconded by Mayor Pro Tempore Lozano, and unanimously carried to amend the Motion by **DELETING** the first condition.

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Lozano, seconded by Representative Byrd, and carried that the City Council **GRANT** settlement authority to the City Attorney with regard to:

- 1) Claims based on the theory of Quantum Meruit;
- 2) Collections on behalf of the City;
- 3) Claims related to workers' compensation; and further;

Authorize the City Attorney or the City Manager or their designees to sign all appropriate documents to effectuate any settlement authority, as recommended by the City Attorney.

- AYES: Representative Lilly, Byrd, Holguin, Ortega, and O'Rourke
- NAYS: Representatives Lozano, Castro and Quintana

Motion made by Mayor Pro Tempore Lozano, seconded by Representative Byrd, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Lilly, Byrd, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of October 30, 2007.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on the item.

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3A.

***RESOLUTION**

WHEREAS, the El Paso City-County Health and Environmental District will dissolve on December 31, 2007;

WHEREAS, the City of El Paso will provide the same types of public health, code enforcement and related services to the citizens of El Paso effective January 1, 2008; and

WHEREAS, the El Paso City-County Health and Environmental District has entered into various contracts, grants and leases with entities, companies and individuals, relating to the provision of its services, the assumption of which by the City will benefit and enable the City to provide its own services effective January 1, 2008.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to approve the assignment of any existing El Paso City-County Health and Environmental District contract, grant agreement, and lease which extends past December 31, 2007, from the District to the City of El Paso, to be effective January 1, 2008.

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3B.

***RESOLUTION**

That the City Manager be authorized to sign a contract with the El Paso Hispanic Chamber of Commerce for \$90,000 for Fiscal Year 2008, for Small Business Technical Assistance (\$66,000), and Revolving Loan Fund Administration (\$24,000).

Representative Ortega commented.

Ms. Leila Melendez, Business First Coordinator for Economic Development, commented.

3C.

***R E S O L U T I O N**

That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Frank X. Spencer & Associates, Inc., a Texas Corporation, to perform consulting services for a project known as "Coronado Street and Drainage Improvements Phase II" in an amount not to exceed \$64,970.

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3D.

***R E S O L U T I O N**

That the City Manager be authorized to sign an Overhead Electrical Easement to the El Paso Electric Company for a portion of Block 12, Lot 1, East El Paso, El Paso County, Texas to provide electrical service to the Rawlings Dental Clinic located at 3301 Pera Avenue.

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3E.

***R E S O L U T I O N**

WHEREAS, the City awarded Contract No. 2005-151 to Initial Security, on May 3, 2005, for Security Guard Service, Municipal Service Center Complex; and

WHEREAS, the City Council terminates said Contract for convenience pursuant to the provisions of the Contract; and

WHEREAS, pursuant to Section C 8A of the Contract (Cancellation for Convenience), the City is authorized to terminate the Contract for convenience; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Purchasing Manager is authorized to notify Initial Security, that the City is terminating Contract No. 2005-151 pursuant to the provisions and requirements of Section C 8A of the Contract Clauses due to convenience and that the termination shall be effective as of November 6, 2007.

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3F.

***R E S O L U T I O N**

WHEREAS, the City awarded Contract No. 2006-104-C1 to Jet Graphic d/b/a Print World Graphics on June 27, 2006, for Print Services; and

WHEREAS, the City Council finds that the Company is in default of the provisions of the Contract; and

WHEREAS, pursuant to Section C 8B of the Contract (Cancellation for Default), the City is authorized to terminate the Contract in the event of default; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Purchasing Manager is authorized to notify Jet Graphic d/b/a Print World Graphics, that the City is terminating Contract No. 2006-104-C1 for default pursuant to the provisions and requirements of

Section C 8B of the Contract Clauses due to the failure to perform printing services and that the termination shall be effective as of November 6, 2007.

Mayor Cook commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Lisa Turner, citizen, commented.

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3G.

***R E S O L U T I O N**

That the City Manager be authorized to sign a First Amendment to Agreement by and between the City of El Paso, in its capacity as the designated Metropolitan Planning Organization for the El Paso Urban Transportation Study Area ("MPO"), and the Instituto Municipal de Investigación y Planeación, ("IMIP"), wherein MPO will provide analysis and GIS technical work for IMIP travel study. This amendment will increase the total reimbursement by IMIP to \$38,000.00; expand the scope of work; and extend the Agreement for an additional year to expire October 30, 2008.

Mayor Cook and Representatives Castro, Byrd, and Ortega commented.

Mr. Ricardo Dominguez, Assistant Director of the Metropolitan Planning Organization, commented.

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3H.

***R E S O L U T I O N**

That the City Manager be authorized to sign an Interlocal Agreement by and between the City of El Paso and the University of Texas at El Paso in an amount of \$15,000 for the University of Texas at El Paso's Institute for Policy and Economic Development to develop a survey of City residents regarding the Financial and Strategic plan for the City of El Paso.

Representatives Ortega, Quintana, Byrd, and Castro commented

Ms. Joyce Wilson, City Manager, and Mr. David Almonte, Director of Office of Management and Budget, commented.

Ms. Lisa Turner, citizen, commented.

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3I.

***R E S O L U T I O N**

That the City Manager be authorized to sign a License Agreement between the City of El Paso and the El Paso Zoological Society to establish, define and coordinate a mutually beneficial relationship to promote and support the programs and operations of the El Paso Zoo for a term of five years.

4A. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Paul G. Zacour to the Building and Standards Commission by Representative Steve Ortega, District 7.

4B. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Herschel Stringfield to the Building and Standards Commission to serve as an alternate by Mayor John F. Cook.

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4C. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Michael Bray to the Building and Standards Commission by Mayor John F. Cook.

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5. APPLICATIONS FOR TAX REFUND

*Motion made, seconded, and unanimously carried that the following tax refunds be **APPROVED**:

- A. Industrial Portfolio in the amount of \$3,000.00 overpayment of 2006 taxes. (PID #A523-999-0030-0175).
- B. El Paso Animal Emergency Center in the amount of \$2,780.26 overpayment of 2004 taxes. (PID #B202-999-0520-4100).
- C. Homecomings Financial in the amount of \$4,637.75 overpayment of 2006 taxes. (PID #C942-999-0080-3500).
- D. HSBC c/o FIS Tax Services in the amount of \$6,405.61 overpayment of 2006 taxes. (PID #M820-999-0070-3300).
- E. HSBC c/o FIS Tax Services in the amount of \$4,204.22 overpayment of 2006 taxes. (PID #P324-999-0300-7600).
- F. CIT Consumer Finance in the amount of \$3,379.34 overpayment of 2006 taxes. (PID #S052-999-0040-6100).
- G. GMAC Mortgage in the amount of \$3,230.94 overpayment of 2006 taxes. (PID #S812-999-0010-4200).
- H. Patricia K. and Jesse R. Moreno in the amount of \$2,948.73 overpayment of 2006 taxes. (PID #S812-999-0330-3700).
- I. Mountain Vista Builders, Inc. in the amount of \$4,549.60 overpayment of 2006 taxes. (PID #U819-999-011E-0014).
- J. McDonald's Corporation in the amount of \$29,988.85 overpayment of 2006 taxes. (PID #Y600-999-0010-0100).

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6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion, seconded, and unanimously carried to **APPROVE** the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Smiths Detection, the sole manufacturer, distributor and provider of all configuration and accessories of the HazMatID system which is used for chemical identification purposes.

Department: Fire

Total Award: \$62,500
Account No.: 22150024 – 07184 – 503101 - G220802
Funding Source: Metropolitan Medical Response Service Grant
Sole Source No.: 2008-052

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7. BID

*Motion made, seconded, and unanimously carried to **AWARD** Bid Solicitation No. 2008-021 (Printing-Neighborhood Watch Manuals) to Paso Del Norte Publishing Inc. for a total amount of \$65,214.

Department: Police
Award to: Paso Del Norte Publishing Inc.
El Paso, Texas
Items: All
Option: None – One Time Purchase
Account No.: 21150060-16371-502116-PROJECT 500231
Funding Source: Federal Confiscated Funds, Promotional Services
Total Award: \$65,214

The Departments of Financial Services, Engineering, and Streets recommend award as indicated to the lowest responsive, responsible bidder.

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8. BUDGET TRANSFERS

*Motion made, seconded, and unanimously carried to **DELETE** Budget Transfer 2008-207, Zoo. Budget transfer would allocate funding to address areas of concern relating to revised animal care standards in preparation of the Association of Zoos & Aquarium Accreditation site committee visit on January 6, 2008.

Increase	\$181,000	to	Fund Balance Transfer
Increase	\$ 20,000	to	Buildings/Facilities
Increase	\$ 96,000	to	Contractual Services
Increase	\$ 65,000	to	Materials & Supplies

Representative Castro commented.

Ms. Joyce Wilson, City Manager, commented.

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9A. – 9E. INTRODUCTIONS

Motion made by Representative Byrd, seconded by Representative O'Rourke, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED, AS REVISED**, for public hearing:

- A. An Ordinance amending Title 9 (Health and Safety), to create Chapter 9.02 (Department of Public Health), and sections thereunder, in the El Paso City Code, to create and establish the functions of the Department known as the Department of Public Health.
- B. An Ordinance vacating a twenty-foot Public Service Board (PSB) easement located within a portion of Lot 45, Block 20, River Park West Unit Nine, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON NOVEMBER 13, 2007, FOR ITEMS 9A - 9B

- C. An Ordinance granting Special Permit No. ZON07-00085 to satisfy parking requirements for Parcel 1, described as Lots 17-32, Block 43, Bassett Addition, City of El Paso, El Paso County, Texas (2101 Myrtle Avenue); by allowing off-site/off-street parking on Parcel 2, described as Lots 6-11 and 18, and portions of Lots 5 and 19, Block 42, Bassett Addition, City of El Paso, El Paso County, Texas (2000 Texas Avenue); pursuant to Section 20.08.030 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.
- D. An Ordinance granting Special Permit No. ZON07-00086 to allow for a parking reduction on the property described as Lots 17 - 32, Block 43, Bassett Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030.C of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.
- E. An Ordinance changing the zoning of the following real property described as: Parcel 1: 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, be changed from R-5/SP (Residential/Special Permit) to C-1 (Commercial); and Parcel 2: a portion of Tract 1A5, Section 45, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, be changed from C-1 (Commercial) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON NOVEMBER 27, 2007, FOR ITEMS 9C – 9E

NOT PRESENT FOR THE VOTE: Representative Lozano

10A.

***R E S O L U T I O N**

WHEREAS, the zoning of the property described as Lot 4, Block 15, Sageland Addition Unit 4, City of El Paso, El Paso County, Texas, was changed by City Council on March 29, 1983; and,

WHEREAS, the rezoning was subject to the property owner entering into a contract with the city and such contract imposed the following zoning conditions:

1. The property shall be used only for parking, ingress and egress.
2. A six-foot (6') high masonry wall shall be constructed along the southerly property line of Lot 1, Block 15, Sageland Addition; and,

WHEREAS, placement of such conditions was necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, these conditions have been satisfied; and,

WHEREAS, the owner (applicant) submitted an application requesting the removal of the above number 1 condition on the above described property; and,

WHEREAS, a public hearing regarding amendment of the conditions was held before the City Plan Commission, and the Commission recommended approval of the release of condition #1 subject to conditions to prohibit uses that would be detrimental to the surrounding residential neighborhood; and,

WHEREAS, the City Council of the City of El Paso has determined that the release of the above condition will protect the best interest, health, safety and welfare of the public in general.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

1. That zoning condition number 1 imposed by a contract dated March 29, 1983 requiring that the property shall be used only for parking, ingress and egress be released on the portion of land identified as Lot 4, Block 15, Sageland Addition Unit 4, City of El Paso, El Paso County, Texas.

2. Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

(1) Automotive uses – Automobile repair garage; automobile service station; carwash; commercial fuel station; sales, storage, rental and services of automobiles, light trucks, buses, motorcycles and boats; and

(2) Transportation terminal Type A; and

(3) Service establishments – Maintenance and repair of home and business appliances, building maintenance and repair (carpet cleaning, janitorial services, plumbing, pest control, tree and lawn services); and

(4) Outdoor flea markets.

3. Except as herein amended, the contract dated March 29, 1983 shall remain in full force and effect.

Representative Ortega commented.

Ms. Kelly Carpenter, Deputy Director of Planning, commented.

Motion made by Representative Ortega, seconded by Representative Quintana, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representative Lilly

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10B.

ORDINANCE 16765

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 3 & 4, BLOCK 6, CHRISTY TRACT IN BLOCK 31, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F (RANCH AND FARM) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative Ortega commented.

Ms. Kelly Carpenter, Deputy Director of Planning, commented.

Motion duly made by Representative Ortega, seconded by Representative Quintana, that the Ordinance be **ADOPTED, AS REVISED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Byrd, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Lilly

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED, AS REVISED**.

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ITEMS TAKEN TOGETHER:

10C.

ORDINANCE 16766

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 28 AND 29 AND A PORTION OF LOT 30, BLOCK 6, SECOND REVISED MAP OF MUNDY HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-4/H (RESIDENTIAL/HISTORIC) TO A-2/H (APARTMENT/HISTORIC). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

10D.

ORDINANCE 16767

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON07-00071 TO ALLOW FOR AN INFILL DEVELOPMENT TO REDUCE SETBACKS ON THE PROPERTY DESCRIBED AS LOTS 28 AND 29 AND A PORTION OF LOT 30, BLOCK 6, SECOND REVISED MAP OF MUNDY HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.08.030.C OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative O'Rourke commented.

Motion duly made by Representative O'Rourke, seconded by Representative Byrd, that the Ordinances be **ADOPTED, AS REVISED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances which when so done resulted as follows:

AYES: Representatives Byrd, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Lilly

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinances, the same be and the same are hereby **ADOPTED, AS REVISED**.

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10E.

ORDINANCE 16768

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A 90-FOOT UTILITY EASEMENT LOCATED WITHIN A PORTION OF PLAZA CIRCLE RIGHT-OF-WAY, PAN AMERICAN CENTER FOR INDUSTRY UNIT THREE, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

Representatives Holguin and Byrd commented.

Ms. Kelly Carpenter, Deputy Director of Planning, commented.

Motion duly made by Representative Holguin, seconded by Representative Lozano, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Byrd, Lozano, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Lilly and Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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11.

ORDINANCE 16769

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A FRANCHISE TO ELITE MEDICAL TRANSPORT TO OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE.**

Mayor Cook and Representative Ortega commented.

Motion duly made by Representative O'Rourke, seconded by Representative Byrd, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Byrd, Lozano, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Lilly and Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

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12A. MAYOR AND COUNCIL

Discussion and Action on changing City policy to require the notification to City Representatives of any meetings taking place within the City of El Paso regarding any city issues. City representatives should be informed or notified of any city-wide issues/meetings taking place as City Representatives cannot adequately represent their constituents if they are not privy to information taken, discussed or approved at any meeting that they were not notified of. City meetings should be posted as Public Meetings and/or Special City Council Meetings to avoid conflict with the Open Meetings Act; by Representative Jose Alexandro Lozano.

Mayor Cook and Representatives Lozano, Ortega, O'Rourke, Quintana, Holguin, Byrd, Lilly, and Castro commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Richarda Momsen, Municipal Clerk
- 3. Ms. Laura Gordon, Deputy City Attorney, gave legal advice

Ms. Lisa Turner, citizen, commented.

*Motion made, seconded, and unanimously carried to **MOVE TO THE FOREFRONT**.

NO ACTION, other than the above procedural motion, was taken on this item.

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12B. MAYOR AND COUNCIL

Discussion and action regarding the upcoming retirement of Chief Richard Wiles and the possibility of creating a Police Commission position, instead of a Police Chief position, and sending this proposal to the voters and placing this item on the ballot during the next regular election; to allow the citizens of El Paso to determine if El Paso should have a Police Commissioner elected by the people or a Police Chief appointed by the City Manager; by Representative Jose Alexandro Lozano.

Mayor Cook and Representatives Lozano, Byrd, Ortega, Holguin, O'Rourke, and Castro commented.

Ms. Joyce Wilson, City Manager, commented and Ms. Laura Gordon, Deputy City Attorney, gave legal advice.

The following members of the public commented:

- 1. Mr. Carl Robinson
- 2. Ms. Lisa Turner
- 3. Mr. Conrad Conde, El Paso Greater Chamber of Commerce

*Motion made, seconded, and unanimously carried to **MOVE TO THE FOREFRONT**.

NO ACTION, other than the above procedural motion, was taken on this item.

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13A. DEVELOPMENT SERVICES

Motion made by Representative O'Rourke, seconded by Representative Byrd, and unanimously carried to **APPROVE** a Conditional B permit as per Section 18.02.103.1.1.6 Prerequisite to Issuance of Permits for Sandstone Ranch Estates Unit Two Subdivision based on economic hardship.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Lozano, and Castro

Mayor Cook commented.

Mr. Larry Nichols, Deputy Director of Building Permits and Inspections, commented.

13B. DEVELOPMENT SERVICES

Motion made by Representative Quintana, seconded by Representative O'Rourke, and unanimously carried to **APPROVE** a Conditional B permit as per Section 18.02.103.1.1.6 Prerequisite to Issuance of Permits for Tres Suenos Unit One Subdivision based on economic hardship.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Lozano, and Castro

Mr. Larry Nichols, Deputy Director of Building Permits and Inspections, commented.

14. FINANCIAL SERVICES

*Motion made, seconded, and unanimously carried to **DELETE** a Resolution amending the City's Debt Management Policy.

Motion made by Representative O'Rourke, seconded by Representative Quintana, and unanimously carried to **ADJOURN** this meeting at 11:42 a.m.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Lozano, and Castro

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk