

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

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

---

**November 20, 2007**  
**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.

- 8:30 a.m.: Roll call and Executive Session\*
- 9:00 a.m.: Invocation and Pledge of Allegiance
- 9:00 a.m.: 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 Clift Barnes**  
**Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

1. **FILIPINO AMERICAN RECOGNITION MONTH**
2. **150<sup>TH</sup> ANNIVERSARY OF LOCOMOTIVE #1**
3. **FIGHT AGAINST HUNGER MONTH**
4. **EL PASO CHILDREN'S HOSPITAL DAY**

### **RECOGNITIONS**

1. **KEY TO THE CITY TO STEVE HELBING**
2. **WINNER OF CITY COUNCIL KETTLE "RING OFF"**

### **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](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 13, 2007, and the Special City Council Meeting of November 13, 2007.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

Representative Beto O'Rourke

**3. RESOLUTIONS:**

**3A.** That any air carrier which establishes new, non-stop service from El Paso International Airport (EPIA) to destinations not otherwise served by non-stop service from EPIA at the time such service commenced, and said carrier provides such service for a continuous period of one year, the carrier will be eligible to receive a waiver of landing fees for that particular non-stop service for a ninety day period from the one year anniversary of the commencement of such service. Waivers will be temporary in nature and granted by the Director of Aviation for up to ninety days of continuous service in an effort to stimulate the growth of airline service to and from EPIA by promoting the establishment of new non-stop routes. **(District 3)** [Airport, Patrick Abeln, (915) 780-4724]

**3B.** That the City Manager is hereby authorized to sign a Temporary Land Use Lease by and between the City of El Paso ("Lessor") and DTG Operations, Inc. d/b/a Dollar Rent A Car d/b/a Thrifty Car Rental ("Lessee") for the following described property: a portion of Tract 4A26, Block 2, Ascarate Grant, and a portion of Block 1D, El Paso International Airport Tracts, Unit 5, City of El Paso, El Paso County, Texas, containing approximately 16,825 square feet of land. **(District 3)** [Airport, Patrick Abeln, (915) 780-4724]

**3C.** That the City Manager be authorized to sign the Second Amendment to the Airline Operating Agreement and Terminal Building Lease by and between the City of El Paso and Delta Air Lines, Inc. in substantially the same form as attached hereto for the purpose of extending the term to August 31, 2009, and replacing Exhibits A, B-1, and B-2. **(District 3)** [Airport, Patrick Abeln, (915) 780-4724]

- 3D.** That in accordance with Section 3.5 of the City Charter, as revised, the regular City Council meeting for December 25, 2007, is hereby canceled and further that the January 1, 2008, meeting is hereby moved to January 2, 2008.  
**(All Districts)** [City Attorney's Office, Sylvia Borunda Firth, (915) 541-4550]
- 3E.** That the City Manager be authorized to sign an agreement granting an underground electrical easement to the El Paso Electric Company for the purpose of providing electrical service to the El Paso International Airport property at 8500 Boeing Drive, lease holder El Paso Sun Park, Ltd. Said property being more particularly described as a portion of real property known as Lot 5 and Lot 6, Block 10, El Paso International Airport Tract Unit 7, City of El Paso, El Paso County, Texas. **(District 3)**  
[Development Services, R. Alan Shubert, (915) 541-4557]
- 3F.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:
- |                    |          |                        |
|--------------------|----------|------------------------|
| 349 Maricela Drive | \$277.49 | Elvira Dora Valenzuela |
|--------------------|----------|------------------------|
- (District 7)** [Development Services, R. Alan Shubert, (915) 541-4557]
- 3G.** That the solid waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 4, 7, & 8)**  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3H.** That the Classification and Compensation Plan be amended as set forth on the attachment posted with this agenda, as recommended by the Civil Service Commission, be approved. (See Attachment B). **(All Districts)**  
[Human Resources, Linda B. Thomas, (915) 541-4509]
- 3I.** A Resolution that the City Manager be authorized to sign a lease agreement by and between the City of El Paso and the United States Department of the Army, Fort Bliss Military Installation, Biggs Army Airfield, Texas, to lease military reservation property for public and recreational purposes, specifically for the construction and maintenance of a soccer complex. **(All Districts)**  
[Parks and Recreation, Barry A. Russell, (915) 541-4338]
- 3J.** A Resolution that the City Manager be authorized to sign a Developer's Participation Agreement between the City of El Paso and Redstone Village, L.P., to allow the City to participate in the cost of the construction of improvements for Rick Husband Street and McCombs Drive in an amount not to exceed \$97,574.52 in accordance with Local Government Code Section 212.071. **(District 4)** [Parks and Recreation, Barry Russell, (915) 541-4292]
- 3K.** That the revised appraisal roll is hereby approved and constitutes the 2007 tax roll including the Tornillo Independent School District and Canutillo Independent School District for which the City Tax Assessor/Collector collects taxes.  
**(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

**4. BOARD RE-APPOINTMENT:**

Annabell Perez to the Airport Board by Representative Steve Ortega, District 7.  
[Representative Steve Ortega, (915) 541-4124]

**5. BOARD APPOINTMENT:**

H.W. "Bill" Sparks to the Parks and Recreation Advisory Board by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

**6. DISCRETIONARY FUNDS:**

Request authorization to transfer District 7 discretionary funds (Council Special Projects), Department ID No. 01010007, Account No. 504420, Fund No. 01101, in the amount of \$4,000 to the Library Department, Department ID No. 53010201, Account No. 508009, Fund No. 01101, for the purpose of facilitating a piano purchase for Judge Marquez Library. [Representative Steve Ortega, (915) 541-4124]

**7. APPLICATIONS FOR TAX REFUND:**

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment C) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

**8. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:**

Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Sierra Machinery, Inc., the sole authorized sales, parts, and service distributor that has the exclusive territory in El Paso, Texas, for Gradall Industries, Inc., for hydraulic excavators (estimated annual total - \$30,000), and for Volvo Construction Equipment North America, Inc., for various Volvo road machinery, etc., (estimated annual total - \$70,000). Total estimated annual amount is \$100,000. Total estimated three year award is \$300,000 with the stipulation that the vendor provides an updated sole source letter and affidavit each year.

Department: General Services  
Account No.: 37370510 – 45202 - 503121  
Funding Source: General Services, Internal Service Fund  
Annual Estimated Amount: \$100,000  
Total Estimated Award: \$300,000 (3-year total)  
Sole Source No.: 2008-039

**Districts: All**  
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**REGULAR AGENDA - INTRODUCTIONS**

**9. 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.**

**9A.** An Ordinance changing the zoning of Tract 4C, Morehead Block, City of El Paso, El Paso County, Texas, from R-4/SP (Residential/Special Permit) to C-1/SP/C (Commercial/Special Permit/Condition), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: west of Chelsea Street and south of Trowbridge Drive. Applicant: Immanuel Baptist Church of El Paso. ZON07-00094 **(District 2)**  
[Development Services/Planning, Melissa Granado, (915) 541-4730]

- 9B.** An Ordinance changing the zoning of Tracts 4E2 and 4E9, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1271 Tower Trail Lane. Applicant: Southern Air Conditioning, Inc. ZON07-00114 **(District 7)**  
[Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 9C.** An Ordinance changing the zoning of Tract 2, Block 8, 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: Upper Valley Road at Westside Drive. Applicant: SHAB, Inc. ZON07-00113 **(District 1)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 9D.** An Ordinance changing the zoning of Tract 6, Section 34, Block 79, Township 2, Texas and Pacific Railway, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-4 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 12708 Montana Avenue. Applicant: Selma E. Aboud. ZON07-00102 **(District 5)**  
[Development Services/Planning, Arturo Rubio, (915) 541-4633]

**PUBLIC HEARING WILL BE HELD ON DECEMBER 11, 2007, FOR ITEMS 9A – 9D**

Public Hearings will be held as part of the regular City Council meeting which 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**

**10. PUBLIC HEARINGS – DEVELOPMENT SERVICES**

- 10A.** An Ordinance changing the zoning of a portion of Section 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from C-2/C (Commercial/Condition) to R-5 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Pebble Hills Boulevard, east of Zaragoza Road. Applicant: Ranchos Real IV, LTD. ZON07-00079 **(District 5)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 10B.** An Ordinance changing the zoning of Lots 49-59, Block 4, Zach White Industrial District, City of El Paso, El Paso County, Texas, from P-I (Planned Industrial) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 4656 Ripley Drive. Applicant: CSC Sugar, Inc. ZON07-00097 **(District 8)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]
- 10C.** An Ordinance releasing a condition placed on property by Ordinance No. 016386 which changed the zoning of a portion of Section 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County,

Texas, and which imposed certain conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Pebble Hills Boulevard, east of Zaragoza Road. Applicant: Ranchos Real IV, LTD. ZON07-00101 **(District 5)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

**10D.** An Ordinance granting Special Permit No. ZON07-00073 to allow for an Infill Development on the property described as Lots 17, 18, 22, and 23 and portions of Lots 19 and 21, Logan Heights Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.040 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: 3700, 3706, & 3712 Wickham Avenue. Applicant: EPCON Investments, LLC. ZON07-00073 **(District 2)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

**10E.** An Ordinance changing the zoning of a 70-foot strip of Tract 1A, Section 39, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City Of El Paso, El Paso County, Texas, from R-3 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Edgemere Blvd. Applicant: Land Barons of El Paso del Norte, LLC. ZON07-00096 **(District 5)**  
[Development Services/Planning, Frank Delgado, (915) 541-4238] **POSTPONED FROM 11-13-07**

**11. PUBLIC HEARING – EL PASO WATER UTILITIES:**

An Ordinance of the City of El Paso, Texas, amending Ordinance No. 016735 which authorized the sale and conveyance of 4,832.99 acres of land, more or less, out of Blocks 80 and 81, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, to Hunt Communities, LLC, to revise the date for the execution of the Master Planned Community Development Agreement and to revise the date of the initial closing date for the purchase of the Phase One Parcel. **(District 4)**  
[El Paso Water Utilities, Robert D. Andron, (915) 594-5607]

**12. PUBLIC HEARING – ENGINEERING:**

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 to add a new location on the north side of Stockwell Lane from a point 420 feet to a point 520 feet east of Stanton Street. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(District 1)**  
[Engineering Department/Traffic Division, Ted Marquez, (915) 541-4035]

**13. PUBLIC HEARING – OFFICE OF MANAGEMENT AND BUDGET:**

An Ordinance to tax tangible personal property in transit held temporarily at a location in El Paso, Texas, which would otherwise be exempt pursuant to Texas Tax Code, Sec. 11.253. **(All Districts)** [Office of Management and Budget, David Almonte, (915) 541-4777]

**REGULAR AGENDA – OTHER BUSINESS**

**14. MAYOR AND COUNCIL:**

**14A.** Discussion and action concerning formulation of a solution to require the management of sand and debris runoff into city streets and drains from the sloped property located at the northeast corner of Lomita and Verdeland.  
[Representative Steve Ortega, (915) 541-4124]

**14B.** Discussion and action to authorize the City Manager to connect Commerce, Industrial, and Market Streets to Airway as per 2005 Roadway Feasibility Study of Airway Boulevard by Kimley-Horn and Associates, Inc.  
[Representative Jose Alexandro Lozano, (915) 541-4515]

**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

Discussion and action on the following:

**EX1.** Discussion and action on the following properties:

1. PID X581 999 2140 1512 Tract 14-S, being 0.906 Acres, out of Section 14, Block 81, Township 2, T & P Railroad Company Surveys, as further described in Volume 1379, Page 2093, Deed Records, El Paso County, Texas;
2. PID X581 999 2140 1508 Tract 14-R, being 4.085 Acres, out of Section 14, Block 81, Township 2, T & P Railroad Company Surveys, as further described in Volume 1379, Page 2093, Deed Records, El Paso County, Texas;
3. PID X581 999 2140 1496 Tract 14-Q, being .353 Acres, out of Section 14, Block 81, Township 2, T & P Railroad Company Surveys, as further described in Volume 1379, Page 2093, Deed Records, El Paso County, Texas;

4. PID X581 999 2140 0273 Tract 2-L, being 0.150 Acres, out of Section 14, Block 81, Township 2, T & P Railroad Company Surveys, as further described in Volume 1379, Page 2093, Deed Records, El Paso County, Texas;
5. PID M576 999 023B 0800 Lot 2-A, Block 23, Mission Hills Replat, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 735, Page 929, Deed Records of El Paso County, Texas;
6. PID M576 999 023B 2200 Lot 3-A, Block 23, Mission Hills Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 735, Page 929, Deed Records of El Paso County, Texas;
7. PID M576 999 023B 4300 Lot 4-A, Block 23, Mission Hills Addition, El Paso, El Paso County, Texas, according to the map thereof on file in Book 735, Page 929, Deed Records of El Paso County, Texas;
8. PID M576 999 023B 5700 Lot 5-A, Block 23, Mission Hills Addition, El Paso, El Paso County, Texas, according to the map thereof on file in Book 735, Page 929, Deed Records of El Paso County, Texas;
9. PID M576 999 023B 8500 Lot 7-A, Block 23, Mission Hills Addition, El Paso, El Paso County, Texas, according to the map thereof on file in Book 735, Page 929, Deed Records of El Paso County, Texas; and
10. PID R843 999 0200 0100 Lots 1 thru 16, both inclusive, Block 20, Rosemont Addition, an addition to the City of El Paso, being more particularly described in Volume 1235, Page 215, Deed Records of El Paso County, Texas (551.071 and 551.072) [City Attorney's Office, Theresa Cullen-Garney, (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 FRIDAY AT THE ADDRESS BELOW:**

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