

**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 13, 2007  
8:30 A.M.**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:40 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 at 8:41 a.m. during Executive Session deliberations, Jose Alexandro Lozano at 8:42 a.m. during Executive Session deliberations, Rachel Quintana at 8:44 a.m. during Executive Session deliberations, and Eddie Holguin, Jr. at 8:47 a.m. during Executive Session deliberations. Early departures: Jose Alexandro Lozano and Rachel Quintana at 1:48 p.m. The invocation was given by Reverend Lisle Davis, followed by the Pledge of Allegiance to the Flag of the United States of America.

**MAYOR'S PROCLAMATIONS**

1. **PERIOPERATIVE REGISTERED NURSES WEEK**
2. **DIVIDED WE FAIL MONTH**
3. **YMCA'S NATIONAL FAMILY WEEK**

**RECOGNITIONS**

1. **THE HONORABLE ROBERTO RODRIGUEZ, NEW CONSUL GENERAL OF MEXICO**
2. **RUDY J. RAMOS FOR 23 YEARS AS A VOLUNTEER FOR "REACH FOR A STAR"**

**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.

The following members of the public commented:

1. Mr. Henry Pfafflin
2. Mr. James Perry
3. Mr. Edward Debruhl
4. Ms. Debbie Kelly
5. Mr. Refugio Partida

Representative Lozano commented.

Ms. Joyce Wilson, City Manager, commented.

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers to address the Council after the sign-up period.

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Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:41 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 9:21 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE:   Representatives Lozano and O'Rourke

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**EX1.**   Discussion and action regarding litigation related to Lisa Elizondo.

Motion made by Mayor Pro Tempore Lozano, seconded by Representative O'Rourke, and carried that the City of El Paso **GRANT SETTLEMENT AUTHORITY** to outside counsel to settle the litigation filed by Lisa Elizondo regarding her employment with the City of El Paso, as recommended by outside counsel, and that outside counsel be authorized to execute any appropriate documents to effectuate that authority.

AYES: Representatives Lilly, Lozano, Quintana, Holguin, and O'Rourke

NAYS: Representatives Byrd and Ortega

NOT PRESENT FOR THE VOTE:   Representative Castro

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**EX2.**   Arturo Alvarez, CSC Case No. 07-ES-19WE.

Motion made by Mayor Pro Tempore Lozano, seconded by Representative O'Rourke, and carried that the City Attorney's Office be **AUTHORIZED SETTLEMENT AUTHORITY**, to negotiate settlement agreement, and sign all necessary documents to resolve the appeal of Arturo Alvarez, CSC Case No. 07-ES-19WE.

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

NAYS: Representative Lozano

NOT PRESENT FOR THE VOTE:   Representative Castro

**EX3.** Robert Lowe vs. Chief Richard Wiles, El Paso Police Department, City of El Paso, Cause No. 2007-4816.

\*Motion made, seconded, and unanimously carried to **DELETE** the item.

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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 November 6, 2007.

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

**NO ACTION** was taken on this item.

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**3A.**

**\*RESOLUTION**

**WHEREAS**, the City of El Paso and SFPP, L.P. entered into an Easement Agreement with an Effective Date of January 9, 2007, whereby SFPP, L.P. was granted certain rights to place and maintain pipelines through portions of El Paso International Airport property;

**WHEREAS**, the Easement Agreement specifically prohibits the placement of any above ground installations without the express written approval of the City of El Paso;

**WHEREAS**, SFPP, L.P. has requested authorization for the placement of an above ground cathodic protection system; and

**WHEREAS**, the City Council of the City of El Paso desires to grant the Director of Aviation the authority to review and grant authorizations for the placement of above ground installations by SFPP, L.P., when such installations in the discretion of the Director of Aviation do not interfere with the operation of the El Paso International Airport;

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

THAT the Director of Aviation be authorized to provide written authorization to SFPP, L.P. to place an above ground cathodic protection system in accordance with Section 1.04 of the Easement Agreement of January 9, 2007; and THAT the Director of Aviation be authorized to review and approve any future above ground installations requested by SFPP, L.P. relative to this Easement Agreement that in the Director's discretion do not interfere with the operation of the El Paso International Airport.

Representative Quintana commented.

Mr. Patrick Abeln, Director of Aviation, commented.

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**3B.**

**RESOLUTION**

That the City Manager be authorized to sign amendment to the 2005-2008 Articles of Agreement between the City of El Paso and the El Paso Municipal Police Officers' Association, to amend Section 2 of Article 8 in its entirety, relating to Insurance.

Representative Byrd commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. William Studer, Deputy City Manager of Financial and Administrative Services
- 3. Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

**1<sup>ST</sup> MOTION**

\*Motion made, seconded and unanimously carried **MOVE TO THE REGULAR AGENDA.**

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Representative Byrd, seconded by Mayor Pro Tempore Lozano, and unanimously carried to **APPROVE** the Resolution with the revisions to the Agreement.

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**3C.**

**\*RESOLUTION**

**WHEREAS**, the City Council of the City of El Paso finds that it would be in the best interest of the public to authorize offset angle parking on the east side of Cebada St. from Pera Ave. to the alley north thereof; and

**WHEREAS**, the City Council of the City of El Paso finds that it would be in the best interest of the public to authorize offset angle parking on the north side of Pera Ave. from Cebada St. to a point 80 feet east thereof; and

**WHEREAS**, the City Council of the City of El Paso further finds, in accordance with Section 12.44.050 of the El Paso City Code, that said rights-of-way are not upon a Federal-aid or State Highway; that passing traffic will not be required to drive upon the left side of either street or upon any streetcar tracks; that said parking will not be within the Central Traffic District nor the Five Points Traffic District; that neither said street carries more than 4,000 vehicles average per day, nor more than 500 vehicles per hour for any consecutive three day hours of an average; and that adequate provision has been made on each said street for the free and unobstructed passage of pedestrian traffic thereof;

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

**THAT** the City Engineer is hereby authorized and directed to designate eleven (11) offset angle parking spaces on the east side of Cebada St. from Pera Ave. to the alley north thereof and four (4) offset angle parking spaces on the north side of Pera Ave. from Cebada St. to a point 80 feet east thereof. Said rights-of-way shall be used for public parking and cannot be used to satisfy the off-street parking required by City Ordinance for the adjacent property.

3D.

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

That the City Manager be authorized to sign an agreement granting an underground electrical utility easement with transformer site, to the El Paso Electric Company for the purpose of providing electrical service for a lift station on El Paso International Airport property at 10499 George Perry. Said property being more particularly described as a portion of real property known as Lot 1, Block 1, Butterfield Trail Aviation Park 1, El Paso County, Texas.

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3E.

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

**THAT** the City Manager be authorized to sign the 2007 Sub-Recipient Agreement for the City of El Paso and the State of Texas Governor’s Division of Emergency Management (GDEM) in the amount of \$6,569,893.82 under the 2007 Homeland Security Grant Program (HSGP) to carry out homeland security projects that will significantly improve local and regional terrorism prevention, preparedness, and response capabilities. The City Manager or designee is also authorized to sign any related paperwork, including all understandings and assurances contained therein; to apply for, accept, reject, alter or terminate the sub-recipient agreement, authorize budget transfers; submit any necessary revisions to the El Paso Urban Area Strategic Plan; execute on behalf of the City of El Paso any sub-recipient agreement amendments or corrections to the initial Sub-Recipient Agreement which increase, decrease or de-obligate program funds; to request and accept an extension of the award ending date for the sub-recipient agreement; and that program officials be as designated in the agreement.

Mayor Cook and Representatives Quintana and Ortega commented.

Ms. Joyce Wilson, City Manager, and Assistant Fire Chief Manuel Chavira commented.

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**4. BOARD RE-APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **RE-APPOINT** Hector Zamora to the Building and Standards Commission as a regular member by Representative Jose Alexandro Lozano.

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**5. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.**

\*Motion made, seconded, and unanimously carried to **APPROVE, AS REVISED**, the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Basic Industries, Inc., The Cooperative Purchasing Network (TCPN) contractor, under contract number R4539 (Area Job Order Contract) for the El Paso Zoo South American Pavilion Project.

The participation by the City of El Paso in The Cooperative Purchasing Network (TCPN) was approved by Mayor and City Council on March 27, 2007.

Department: Engineering  
Award to: Basic Industries, Inc.  
El Paso, Texas  
Items: Base Bid I: \$442,442  
Total Estimated Award: \$442,442  
Account No.: PCP07ZO001 - 99331117 – 27263 - 508027 &  
PZO07001-31136001-27136-508027 &  
52153027-15445-52000

Funding Source: 1998A & 2006 Certificates of Obligation & Zoo Gate Revenue  
Reference No.: 2008-057

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order without further authorization by City Council.

This is a low bid, lump-sum contract.

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

Mr. Alan Shubert, City Engineer, commented.

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**6. BUDGET TRANSFERS**

\*Motion made, seconded, and unanimously carried to **APPROVE, AS REVISED**, budget transfer BT2008-290, Zoo. Budget transfer will allocate funding to upgrade facilities addressing revised Accreditation Guidelines and animal welfare standards in preparation of the Association of Zoos & Aquarium Accreditation site committee visit scheduled on January 6, 2008.

Increase	\$130,500	from	Fund Balance Transfer
Increase	\$130,500	to	Buildings/Facilities

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**7A. – 7B. &  
7D. – 7G INTRODUCTIONS**

Motion made by Representative Quintana, seconded by Representative Byrd, 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 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.
- B. 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.

**PUBLIC HEARING WILL BE HELD ON NOVEMBER 20, 2007, FOR ITEMS 7A – 7B**

- D. An Ordinance changing the zoning of a portion of Tract 7, Boothville, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to PR-II (Planned Residential) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

- E. An Ordinance changing the zoning of all of Tracts 32 and 33 and portions of Tracts 30 and 31, Cinecue Park Subdivision, City of El Paso, El Paso County, Texas, from R-F/SP (Ranch and Farm/Special Permit) to C-1/SP (Commercial/Special Permit) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- F. An Ordinance changing the zoning of Tracts 11A, 11B, 12A, and 13A, Block 39 and Tract 3C, Block 40, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- G. An Ordinance changing the zoning of Lots 1, 2, and 3, Block 107, Highland Park Addition, City of El Paso, El Paso County, Texas, from C-2 (Commercial) to C-2/H (Commercial/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**PUBLIC HEARING WILL BE HELD ON DECEMBER 4, 2007, FOR ITEMS 7D – 7G**

Representative Lozano commented.

Ms. Joyce Wilson, City Manager, and Ms. Kelly Carpenter, Deputy Director of Planning, commented.

**7C. INTRODUCTION**

Motion made by Representative Byrd, seconded by Representative Ortega, and carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

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.

**PUBLIC HEARING WILL BE HELD ON NOVEMBER 20, 2007 FOR ITEM 7C**

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

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

Mr. David Almonte, Director of Office of Management and Budget, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

**8A. PUBLIC HEARING – DEVELOPMENT SERVICES**

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **POSTPONE** one week the public hearing on 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.

Representatives Quintana and Ortega commented.

Ms. Joyce Wilson, City Manager, and Ms. Kelly Carpenter, Deputy Director of Planning, commented.

**8B.**

**ORDINANCE 16770**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 24, BLOCK 38, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-4/H (RESIDENTIAL/HISTORIC) TO C-1/H (COMMERCIAL/HISTORIC). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative Ortega commented.

Ms. Joyce Wilson, City Manager, and 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 Lilly, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Byrd and Lozano

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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**8C.**

**ORDINANCE 16771**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 12B, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-3 (RESIDENTIAL) TO C-4 (COMMERCIAL) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Ms. Kelly Carpenter, Deputy Director of Planning, commented.

Motion duly made by Representative Quintana, seconded by Representative Byrd, 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 Lilly, Byrd, Castro, Quintana, Holguin, Ortega, and O'Rourke

NAYS: None

ABSTAIN: Representative Lozano

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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8D.

**ORDINANCE 16772**

The City Clerk read an Ordinance entitled: **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.**

Motion duly made by Representative Lilly, seconded by Representative Ortega, 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 Lilly, Byrd, Lozano, Castro, Quintana, Holguin, Ortega, and O'Rourke  
NAYS: None

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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9.

**ORDINANCE 16773**

The City Clerk read an Ordinance entitled: **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.**

Ms. Elaine Hengen, Senior City Attorney, gave legal advice.

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

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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**10A. MAYOR AND COUNCIL**

Motion made by Representative O'Rourke, seconded by Representative Lilly, and unanimously carried to **DIRECT** the City Manager to undertake a City-initiated zoning implementation strategy of the Chihuahueta Neighborhood pursuant to the recommendations of the "Chihuahueta Neighborhood Plan" adopted by the El Paso City Council in March 2004, and to present a rezoning application for City Council consideration within a period of 120 days.

Representatives O'Rourke, Lozano, and Castro commented.

Ms. Pat Aauto, Deputy City Manager of Development and Infrastructure Service, commented.

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Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **RECESS** the City Council Meeting at 10:35 a.m. in order to convene the Special City Council Meeting.

NOT PRESENT FOR THE VOTE: Representative Castro

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Motion made by Mayor Pro Tempore Lozano, seconded by Representative Holguin, and unanimously carried to **RECONVENE** the City Council Meeting at 10:48 a.m.  
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**10B. MAYOR AND COUNCIL**

Discussion and action on how the City of El Paso Parks Department selects and purchases its park equipment; and explanation/discussion on how the bidding process for parks and park equipment is handled; by Representative Jose Alexandro Lozano.

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

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Deborah Hamlyn, Deputy City Manager of Quality of Life Services
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 4. Ms. Carmen Arrieta-Candelaria, Financial Services Chief Financial Officer

Mr. Robert Millard, Playground Constructors, and Mr. Mitch Doblado, former member of the Parks and Recreation Advisory Board, commented.

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers to address the Council after the sign-up period.

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

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ITEMS TAKEN TOGETHER:

**10C. MAYOR AND COUNCIL**

Presentation by Antonio Lopez, Expo Representative, regarding the 1st Annual Go Green Environmental and Recycling Expo to be held on Saturday November 17th and Sunday, November 18th, 2007, in El Paso, Texas; by Representative Jose Alexandro Lozano.

**10D. MAYOR AND COUNCIL**

Discussion and action in asking the City Manager for an explanation as to why the City of El Paso, Keep El Paso Beautiful and the City of El Paso Environmental Services are NOT participating in the first annual Go Green Environmental and Recycling Expo taking place on November 17th and November 18, 2007. It is unacceptable that The City of El Paso does not participate, as "going green" is a desire for the entire community; by Representative Jose Alexandro Lozano.

## 10E. MAYOR AND COUNCIL

Discussion and action on a Resolution that the El Paso City Council finds that the activities conducted and promoted as part of the 1<sup>st</sup> Annual Go Green Environmental and Recycling Expo constitutes an important purpose to the City as a whole and therefore, the City of El Paso, Keep El Paso Beautiful and the City of El Paso Environmental Services should be willing participants in this event for the betterment of our community and should participate and help coordinate this event; by Representative Jose Alexandro Lozano.

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

Ms. Joyce Wilson, City Manager, commented.

The following members of the public commented:

1. Mr. Antonio Lopez, Go Green Expo Representative, presented a PowerPoint presentation (on file in the City Clerk's office).
2. Mr. Henry Pffaflin
3. Mr. Anthony Martinez, Communications Director for Senator Eliot Shapleigh
4. Mr. Bill Addington, Sierra Club
5. Ms. Marianna Chew
6. Mr. David Chavez

### 1<sup>ST</sup> MOTION

Motion made by Representative Castro, seconded by Mayor Pro Tempore Lozano, and carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Lopez fifteen minutes to address the Council.

AYES: Representatives Byrd, Lozano, Castro, Quintana, Holguin

NAYS: Representatives Lilly, Ortega, and O'Rourke

### 2<sup>ND</sup> MOTION

Motion made by Mayor Pro Tempore Lozano, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Martinez an additional three minutes to address the Council.

### 3<sup>RD</sup> MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Martinez an additional two minutes to address the Council.

### 4<sup>TH</sup> MOTION

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Ms. Chew an additional two minutes to address the Council.

### 5<sup>TH</sup> MOTION

Motion made by Mayor Pro Tempore Lozano, seconded by Representative Holguin, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow Mr. Chavez to address the Council after the sign-up period.

**6<sup>TH</sup> MOTION**

Motion made by Representative Holguin, seconded by Mayor Pro Tempore Lozano, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:46 p.m.

NOT PRESENT FOR THE VOTE: Representative Quintana

**7<sup>TH</sup> MOTION**

Motion made by Representative Byrd, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 12:53 p.m. and **RECONVENE** the meeting of the City Council.

Representative Quintana was not present for the vote.

**8<sup>TH</sup> AND FINAL MOTION**

Motion made by Representative Byrd, seconded by Representative Lilly, and carried to take **NO ACTION** and to **REAFFIRM** the City’s position that it will not participate in the Go Green Expo.

AYES: Representatives Lilly, Byrd, Castro, Quintana, Holguin, Ortega and O’Rourke

NAYS: Representative Lozano

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ITEMS TAKEN TOGETHER:

**11A. BUDGET TRANSFERS**

Motion made by Representative Byrd, seconded by Representative Castro, and unanimously carried to **APPROVE** budget transfer BT2008-221 POLICE.

This transfer will increase appropriations for federal confiscated funds to allow the Department to purchase various items and to complete various projects for this fiscal year.

Increase	\$1,586,932.71	to	Miscellaneous Non Operating Revenue
Increase	\$ 106,747.72	to	Personal Services
Increase	\$ 321,789.37	to	Promotional Services
Increase	\$ 204,587.58	to	Other Services/Charges
Increase	\$ 953,808.04	to	Capital Outlay

**11B. BUDGET TRANSFERS**

Motion made Representative Byrd, seconded by Representative Castro, and unanimously carried to **APPROVE** budget transfer BT2008-224 POLICE.

This transfer will increase appropriations for state confiscated funds to allow the Department to purchase various items and to complete various projects for this fiscal year.

Increase	\$218,569	to	Miscellaneous Non Operating Revenue
Increase	\$218,569	to	Public Safety Equipment

Representative Ortega commented.

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

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Motion made by Representative Byrd, seconded by Representative Holguin, and unanimously carried to **RECESS** the City Council Meeting at 12:56 p.m. in order to convene the Mass Transit Department Board Meeting.

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Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **RECONVENE** the City Council Meeting at 2:13 p.m.

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

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12.

**RESOLUTION**

**WHEREAS**, on June 26, 2007, the City Council for the City of El Paso adopted a Final Action Plan for 2007-2008 for the Consolidated Plan 2005-2010, including the 33<sup>rd</sup> Year (2007-2008) Community Development Block Grant (CDBG) Program, and on the same date authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plan (2007-2008) and all certifications contained therein; and

**WHEREAS**, the City Council, based on the recommendation of the CD Steering Committee and the Director of the Community and Human Development Department, now desires to amend the Annual Action Plan (2007-2008) and 33<sup>rd</sup> Year (2007-2008) CDBG Program Budget by deleting one social service activity and reallocating and/or reprogramming those reserved funds to add one new social service activity and to increase the funding of an existing social service activity; and

**HEREAS**, on October 9, 2007, the City of El Paso published in the El Paso Times public notice and allowed a 30-day public comment period regarding the proposed amendments to the Annual Action Plan (2007-2008) and 33<sup>rd</sup> Year (2007-2008) CDBG Program Budget and City Council has duly considered public comment, if any; and

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

1. That the Annual Action Plan (2007-2008) and 33<sup>rd</sup> Year (2007-2008) CDBG Program Budget is hereby amended as follows:
  - (a) the social service project "YWCA El Paso Del Norte Region-Teen Leadership Program-\$26,437 (Account No. G7133SS0009)" is deleted;
  - (b) a portion of the reserved HUD funds from the above project is reallocated and/or reprogrammed to add the following new social service activity to the 33<sup>rd</sup> Year (2007-2008) CDBG Program Budget: "Candlelighters of the El Paso Area Activity Center - \$24,707" and will fund 1,620 hours of supportive services to 60 children with cancer and their families; and
  - (c) the remaining portion of the reserved HUD funds is reallocated and/or reprogrammed to: "City Parks and Recreation's Sun Country Recreation Program (Account No. G7133CD0005)", an existing 33<sup>rd</sup> Year (2007-2008) CDBG social service project, increasing the project budget from \$79,318 to \$81,048 and increasing the units of recreation services from 33,200 to 33,925.
2. That the City Manager be authorized to sign any agreements or related documents upon approval by the City Attorney's Office and Director of Community and Human Development Department and

to take any actions necessary to accomplish the intent of this resolution, including the necessary budget transfers and notifying HUD of said Annual Action Plan amendment.

Mayor Cook commented.

Mr. William Lilly, Director of Community and Human Development, commented.

Motion made by Representative Byrd, seconded by Representative O'Rourke, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representatives Lozano and Quintana

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**13. DEVELOPMENT SERVICES**

Discussion and action on (1) a staff report of proposed changes to the Parkland Dedication regulations as part of the Subdivision Ordinance Rewrite and proposed by the City's consultants, Halff & Associates, Inc. and Mickelson & Palumbo, and recommended by the City Plan Commission Ad Hoc Committee; and (2) policy direction on any of the enumerated proposed changes as may be necessary.

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

Ms. Joyce Wilson, City Manager, and Ms. Pat Aduato, Deputy City Manager of Development and Infrastructure Services, commented.

Mr. Jim Carrillo, Halff & Associates, presented a PowerPoint presentation (on file in the City Clerk's office).

Mr. Gus Haddad, Chair of the City Plan Commission and Ad Hoc Committee, and Mr. John Neal, City Plan Commission and staff consultant, commented

**1<sup>ST</sup> MOTION**

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 2:47 p.m.

NOT PRESENT FOR THE VOTE: Representatives Lozano and Quintana

**2<sup>ND</sup> MOTION**

Motion made by Representative Byrd, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 3:07 p.m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representatives Lozano, Quintana, and O'Rourke

**NO ACTION**, other than the above procedural motions, was taken on the item.

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Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **ADJOURN** this meeting at 3:21 p.m.

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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk