

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

# REVISED AGENDA FOR REGULAR CITY COUNCIL MEETING

November 27, 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 and Fire Chaplain Sam Faraone  
Pledge of Allegiance**

## MAYOR'S PROCLAMATIONS

1. CHRISTMAS TREE LIGHTING DAY
2. BORDER NETWORK ON HUMAN RIGHTS DAY
3. OPERATION SANTA CLAUS DAY

## RECOGNITIONS

1. STELLA RUIZ
2. AURORA QUINTANA DAY
3. LEE MEZA DAY

## 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 20, 2007.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

**3. RESOLUTION:**

That the City Manager be authorized to sign a Professional Services Agreement between the City of El Paso and Quantum Engineering Consultants, Inc. (QEC), a Texas Corporation, to perform consulting services for a project known as "Coronado Street And Drainage Improvements Phase I" in an amount not to exceed \$62,328.83. **(District 3)**  
[Engineering, Javier Reyes, (915) 541-4630]

**4. MAYOR AND COUNCIL:**

Notation of a \$500 campaign contribution to Representative Rachel Quintana from Delgado, Acosta, Spencer, Linebarger, & Perez, LLP on November 17, 2007, per Ordinance No. 16301, Section 2.92.110 (Disclosure of Campaign Contribution).  
[Representative Rachel Quintana, (915) 541-4701]

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

Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend current Contract 2006-050 (Electrical Components & Related Parts) with Main Auto for one additional year pursuant to the provisions to an award approved by City Council on January 17, 2006. Contract period is January 17, 2009, through January 16, 2010.

Department: General Services  
Option: One [of One]  
Total Estimated Amount: \$30,000 (1-year extension)  
Account No.: 37370510 – 45202 - 503125  
Funding Source: General Services, Internal Service Fund  
**Districts: All**  
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**6. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2008-022 (Janitorial Services - Central & Westside Parks Facilities - Rebid) to Total Cleaning Services for a total amount of \$191,830.70.

Department: Parks & Recreation  
 Award to: Total Cleaning Services  
 El Paso, Texas  
 Items: All  
 Annual Estimated Amount: 1<sup>st</sup> Year \$59,184.70  
 2<sup>nd</sup> Year \$63,923.40  
 3<sup>rd</sup> Year \$68,722.60  
 Option: 2 Years  
 Account No.: 51010256 – 01101 - 502226  
 Funding Source: Operating Funds, Maintenance Service Contract-Janitorial  
 Total Estimated Award: \$191,830.70  
**Districts: 2, 6, & 8**

This is a thirty-six month contract.

The Departments of Financial Services, Purchasing Division, and Parks and Recreation recommend award as indicated to the vendor offering the best value bid.  
 [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**REGULAR AGENDA - INTRODUCTIONS**

**7. 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.**

**7A. An Ordinance granting a franchise to Life Ambulance Service, Inc. to operate a non-emergency ambulance transfer service. (All Districts)**  
 [Fire Department, Manuel Chavira, (915) 771-1000]

**PUBLIC HEARING WILL BE HELD ON DECEMBER 4, 2007, FOR ITEM 7A**

**7B. An Ordinance changing the zoning of Lots 11-14, Block 7, Val Verde, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to C-1/C (Commercial/Condition), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 222, 224, 226 Val Verde Street. Applicant: Good Time Stores, Inc. ZON07-00078 (District 8)**  
 [Development Services/Planning, Melissa Granado, (915) 541-4730]

**7C. An Ordinance changing the zoning of the following real property described as: Parcel 1: Lots 1 and 2, Block B, Pasodale, City of El Paso, El Paso County, Texas, be changed from C-1 (Commercial) to C-3 (Commercial); and Parcel 2: Lot 3, Block B, Pasodale, City of El Paso, El Paso County, Texas, be changed from R-3 (Residential) to C-1/C (Commercial/Conditions), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City**

Code. Subject Property: Parcel 1: 8400-8404 Alameda Avenue and Parcel 2: 104 Pasodale Road. Applicant: Albert Nabhan. ZON07-00087 **(District 7)**  
[Development Services/Planning, Arlan Greer, (915) 541-4723]

**PUBLIC HEARING WILL BE HELD ON DECEMBER 18, 2007, FOR ITEMS 7B – 7C**

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 – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**8. FINANCIAL SERVICES:**

Discussion and action on a Resolution that the Purchasing Manager is authorized to notify ARSA Industries Inc. that the City is terminating Contract No. 2007-012 pursuant to the provisions and requirements of Section C, Paragraph 18A, of the Contract Clauses due to convenience and that the termination shall be effective as of November 27, 2007.

Department: Street

**Districts: All**

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**REGULAR AGENDA – PUBLIC HEARINGS**

**9. PUBLIC HEARINGS – DEVELOPMENT SERVICES:**

**9A.** 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. **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]

**9B.** 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. Subject Property: 2101 Myrtle Avenue. Applicant: El Puente Community Development Corporation. ZON07-00086 **(District 8)**  
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

**9C.** 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. Subject Property: south of Pebble Hills Boulevard, east of Joe Battle Boulevard. Applicant: JNC Land, Inc. ZON07-00091 **(District 5)**

[Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 9D.** 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 20.24 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]

POSTPONED FROM 11-20-07

- 9E.** 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 20.24 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]

POSTPONED FROM 11-20-07

- 9F.** 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 20.24 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]

POSTPONED FROM 11-20-07

### **REGULAR AGENDA – OTHER BUSINESS**

**10. ECONOMIC DEVELOPMENT:**

Discussion and action on a Resolution that the City Manager be authorized to submit the TIRZ No. 5 Annual Report to the appropriate entities as required by Section 311.016 of the Texas Property Tax Code. **(District 8)**

[Economic Development, Kathryn B. Dodson, (915) 541-4760]

**11. FINANCIAL SERVICES:**

Discussion and action on a Resolution that the Mayor be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and the County of El Paso for the provision of public health services by the City to the County, and related matters, for the period of January 1, 2008, through August 31, 2008. **(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

**12. CITY MANAGER:**

City Manager's report of current events and issues:

Presentation by City Manager Joyce Wilson to report on an update on Representative Steve Ortega, Representative Beto O'Rourke, City Manager Joyce Wilson, and Economic Development Director Kathy Dodson's participation in the Creative Economy Conference and an update of their visit, with the addition of Representative Melina Castro, to Arlington, Virginia. **(All Districts)**

[Economic Development, Kathryn B. Dodson, (915) 541-4760]

**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.** Claim of Ramon and Marisela Juarez, Our File No. 07-C-213. (551.071)  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Discussion and action regarding strategies and options related to Asarco litigation and TCEQ permit process. (551.071) [City Attorney's Office, Raymond L. Telles, (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/>