

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

December 4, 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 – Fire Chaplain Ed Sinke
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

FAMILY CAREGIVER MONTH

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved.

Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. APPROVAL OF MINUTES:

Approval of Minutes for the Regular City Council Meeting of November 27, 2007, and the corrected 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. RESOLUTIONS:

3A. That the City Manager be authorized to sign an Agreement between the City of El Paso and Western Refining Company, L.P. which will allow Western Refining to assist in funding the cost to expand the feasibility study for the extension of Airway Boulevard. The cost to the City will not exceed \$201,300 and to authorize the City Manager to make any necessary budget transfers. **(District 3)**
[Engineering, Irene Ramirez, (915) 541-4431]

3B. That the City Manager be authorized to sign an agreement granting an overhead electrical utility 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 4, Block 10, El Paso International Airport Tract Unit 7, City of El Paso, El Paso County, Texas. **(District 3)** [Development Services/Engineering, R. Alan Shubert, (915) 541-4423]

3C. 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 7741 Lockheed Drive, lease holder P.P.L., Airport Joint Venture. Said property being more particularly described as a portion of Lot 9, Block 8, El Paso International Airport Tracts Unit 1, City of El Paso, El Paso County, Texas. **(District 3)** [Development Services/Engineering, R. Alan Shubert, (915) 541-4423]

4. BOARD APPOINTMENTS:

4A. Laura Kurtin Alpern to the Airport Board by Mayor John F. Cook.
[Mayor John F. Cook, (915) 541-4145]

4B. Geoffrey Wright to the Construction Board of Appeals, to fill an unexpired term, by Representative Melina Castro, District 4.
[Representative Melina Castro, (915) 541-4400]

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 2006-040 (Kawasaki Motorcycle Parts and Service) with Edge Kawasaki for two additional years pursuant to the provisions to an award approved by City Council on January 3, 2006. Contract period is January 3, 2009, through January 2, 2011.

Department: General Services
 Option: Two [of Two]
 Total Estimated Amount: \$120,000 (2-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. 2008-040 (Live Scan Electronic Fingerprint System) to Identix for a total amount of \$281,250.

Department: Police
 Award to: Identix, an L-1 Identity Solutions Company
 Bloomington, MN
 Items: Base Bid I \$180,450
 Base Bid II \$100,800 (years 2 - 5 Maintenance)
 Option: 5 Years
 Account No.: 22150024 – 07184 – 508035, Project G220802
 Funding Source: State Homeland Sec 06, Communication Equipment
 Total Estimated Award: \$281,250 (5-year total)
Districts: All

This is a five year contract.

The Departments of Financial Services, Purchasing Division, and Police 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 amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.20 (Miscellaneous Street and Sidewalk Use Regulations), Section 13.20.110 (Bus Bench Franchises), to provide for the granting and administration of Bus Bench and Shelter Franchises. **(All Districts)**
 [City Attorney's Office, Raymond L. Telles, (915) 541-4550]

- 7B.** An Ordinance rescinding Ordinance No. 15615 and granting a new non-exclusive franchise to Bench Ads of El Paso, Inc. to place benches at bus stops on city rights-of-way pursuant to the El Paso City Code; the penalties being as provided in Section 13.20.110 of the El Paso City Code. **(All Districts)**
[City Attorney's Office, Raymond L. Telles, (915) 541-4550]
- 7C.** An Ordinance rescinding Ordinance No. 14003 and granting a new non-exclusive franchise to Pinnacle Media, L.L.C. to place benches at bus stops on city rights-of-way pursuant to the El Paso City Code; the penalties being as provided in Section 13.20.110 of the El Paso City Code. **(All Districts)**
[City Attorney's Office, Raymond L. Telles, (915) 541-4550]
- 7D.** An Ordinance rescinding Ordinance No. 13857 and granting a new non-exclusive franchise to Otto H. Maser, Jr. to place benches at bus stops on city rights-of-way pursuant to the El Paso City Code; the penalties being as provided in Section 13.20.110 of the El Paso City Code. **(All Districts)**
[City Attorney's Office, Raymond L. Telles, (915) 541-4550]
- 7E.** An Ordinance rescinding Ordinance No. 13753 and granting a new non-exclusive franchise to Oliva Manufactured Home Sales, Inc. d/b/a Southwest Bench Ads to place benches at bus stops on city rights-of-way pursuant to the El Paso City Code; the penalties being as provided in Section 13.20.110 of the El Paso City Code. **(All Districts)** [City Attorney's Office, Raymond L. Telles, (915) 541-4550]
- 7F.** An Ordinance vacating portions of Tangier Place and Malaga Place and a 20-foot alley between Block A and B and south of Blocks A and B of Zambrabo Subdivision Unit Two, City of El Paso, El Paso County, Texas. (SUB07-00059) **(District 3)** [Development Services/Planning, Michelle Padilla, (915) 541-4903]
- 7G.** An Ordinance amending El Paso Municipal Code Title 2 (Administration and Personnel), Chapter 2.64 (City Employee's Pension Fund), changing Section 2.64.130 (Participation in Pension System – City-County Health Unit Employees), to establish rules related to service earned as employees of the City-County Health Unit and changing Section 2.64.120 (Participation in Pension System – Civil Service Employees) to sunset Subsection "C" relating to City-County Health District employees on December 31, 2007. **(All Districts)**
[Financial Services, Robert Ash, (915) 541-4545]
[Office of Management and Budget, David Almonte, (915) 541-4777]

PUBLIC HEARING WILL BE HELD ON DECEMBER 11, 2007, FOR ITEMS 7A – 7G

- 7H.** An Ordinance changing the zoning of Tracts 2, 3-B, and 12A, Block 6, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-3A (Residential) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of North Loop Drive and west of Zaragoza Road. Applicants: Marcy C. Dominguez, Ricardo and Christina G. Schaffimo, and Ben Jordan. ZON07-00111 **(District 7)**
[Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 7I.** An Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities), of the El Paso City Code by adding a subsection to address Personal Wireless Service Facilities in the Manufacturing, Industrial, and Quarry Districts. The penalty is as

provided for in Chapter 20.24 of the El Paso City Code. Applicant: City of El Paso. **(All Districts)** [Development Services/Planning, Christina Valles, (915) 541-4930]

PUBLIC HEARING WILL BE HELD ON JANUARY 2, 2008, FOR ITEMS 7H – 7I

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

8. PUBLIC HEARINGS – DEVELOPMENT SERVICES

- 8A.** 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. Subject property: 8622-8624 North Loop Drive. Applicant: Herman Guardado. ZON07-00090 **(District 7)**
[Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 8B.** 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. Subject Property: east of Yarbrough Dr. and north of Starr Ave. Applicant: Housing Authority of the City of El Paso. ZON07-00055 **(District 7)**
[Development Services/Planning, Frank Delgado, (915) 541-4238]
- 8C.** 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. Subject Property: north of Padilla Rd. and east of Rose Kennedy Dr. Applicant: John H. Trien. ZON07-00040 **(District 6)** [Development Services/Planning, Frank Delgado, (915) 541-4238]
- 8D.** 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. Subject Property: Fire Station #6, 2201 N. Piedras Street. Applicant: City of El Paso. ZON07-00121 **(District 2)**
[Development Services/Planning, Christina Valles, (915) 541-4930]

9. PUBLIC HEARING – FIRE DEPARTMENT:

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]

10. 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]
POSTPONED FROM 11-20-07

REGULAR AGENDA – OTHER BUSINESS

11. MAYOR AND COUNCIL:

11A. Status report regarding Bridge Wait Time Task Force.
 [Mayor John F. Cook, (915) 541-4145]

11B. Discussion and action on authorizing the City Manager to proceed with the vacation of an identified portion of Riverbend Drive to close the right-of way to public vehicular traffic for the Riverbend Trail project.
 [Representative Beto O'Rourke, (915) 541-4123]

12. FINANCIAL SERVICES:

Discussion and action on a Resolution to enter into Interlocal Agreements with the City of Socorro, Texas; Town of Anthony, Texas; Town of Horizon City, Texas; Town of Clint, Texas; and Village of Vinton, Texas, to provide public health and other services under the new City Public Health Department for the time period of January 1, 2008, through August 31, 2008. **(All Districts)** [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

13. FIRE DEPARTMENT:

Discussion and action on a Resolution authorizing the City Manager or her designee to sign an Emergency Management Performance Grant (EMPG). **(All Districts)**
 [Fire Department, Robert Rivera, (915) 771-1000]

14. MUSEUMS AND CULTURAL AFFAIRS:

Discussion and action on a Resolution to adopt the 2008 Public Art Plan. **(All Districts)**
 [Museums and Cultural Affairs, Yolanda R. Alameda, (915) 541-4896]

15. POLICE DEPARTMENT:

Discussion and action on a Resolution that the City of El Paso shall submit to arbitration as provided by Paragraph 4 of the Interlocal Governmental Agreement regarding the booking, processing, and housing of City prisoners in the El Paso County Detention Facilities. **(All Districts)** [Police Department, Paul Cross, (915) 564-7381]

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 regarding Empowerment Zone Loan EZRLF-27 to II Kiwis, Inc. d/b/a Down Under Meat Pies. (551.071) [City Attorney's Office, Marie Taylor, (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/>