

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 - CORRECTED
COUNCIL CHAMBERS
NOVEMBER 20, 2007
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:36 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Jose Alexandro Lozano, Rachel Quintana, and Steve Ortega. Late arrivals: Melina Castro at 8:37 a.m. during Executive Session deliberations and Eddie Holguin, Jr. at 8:42 a.m. during Executive Session deliberations. Absent: Beto O'Rourke requested to be excused. The invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. **FILIPINO AMERICAN RECOGNITION MONTH**
2. **150TH 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" – MAYOR JOHN F. COOK**

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 member of the public commented:

1. **Mr. Henry Pfafflin**
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Motion made by Representative Quintana, seconded by Representative Byrd, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:36 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 Castro and Holguin
ABSENT: Representative O'Rourke

Motion made by Representative Quintana, seconded by Representative Castro, and unanimously carried to adjourn the Executive Session at 9:06 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

ABSENT: Representative O'Rourke

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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

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

Motion made by Mayor Pro Tempore Lozano, seconded by Representative Byrd, and unanimously carried that the City of El Paso request that it be allowed to acquire the above properties, which have been struck off to the City of El Paso, as Trustee, through Sheriff's Tax Deeds, for delinquent taxes at \$1 each.

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ADDITION TO THE AGENDA

EX1. Discussion and action regarding litigation related to Lisa Elizondo

NO ACTION was taken on this 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, and Ortega
 NAYS: None
 ABSENT: Representative O'Rourke

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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 13, 2007, and the Special City Council Meeting of November 13, 2007.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Beto O'Rourke from the Regular Council Meeting of November 20, 2007.

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3A.

***RESOLUTION**

WHEREAS, the City Council of the City of El Paso has determined that offering an incentive to airlines for new non-stop service from El Paso International Airport may stimulate business and would therefore be of benefit to the City and its residents, and that a public purpose will be served by increasing service to and from the Airport;

WHEREAS, the City of El Paso had previously adopted an incentive whereby landing fees were temporarily waived for airlines that implemented new, non-stop service to destinations not previously served; and

WHEREAS, the previously referenced incentive expired in September of 2005 and the City desires to re-establish the incentive on a permanent basis;

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

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.

Representatives Quintana, Lilly, Ortega, and Holguin commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Pat Abeln, Director of Aviation
- 3. Mr. Charlie McNabb, City Attorney, gave legal advice.
- 4. Mr. Raymond Telles, Assistant City Attorney, gave legal advice.

Mr. Richard Dayoub, Greater El Paso Chamber of Commerce, and Mr. Henry Pfafflin, citizen, commented.

3B.

***RESOLUTION**

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.

Representatives Quintana and Ortega commented.

Mr. Pat Abeln, Director of Aviation, commented.

3C.

***RESOLUTION**

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.

3D.

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

WHEREAS, on May 12, 2007, a General Election and City Charter Amendment Election was held;

WHEREAS, all fourteen of the proposed Charter Amendments were approved by the voters and duly declared adopted by the City Council of the City of El Paso, Texas; and

WHEREAS, Section 3.5 of the City Charter has been amended to allow the City Council, by resolution, to cancel one or more regular meetings, not to exceed three meetings during each calendar year, provided that such canceled meetings are not consecutive.

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

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.

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3E.

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

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.

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3F.

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

WHEREAS, in accordance with Chapter 18.50 of the El Paso Municipal Code, the Building Standards Commission of the City of El Paso, by Order dated the 7th day of May, 2002, after due notice and hearing, ordered ELVIRA DORA VALENZUELA, record Owner of the hereinafter described property that the Building(s) be re-secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to re-secure the Building(s) and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to re-secure the Building(s) and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of re-securing the Building(s) and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 13 EXC S 2 Feet, Block 26, Thomas Manor #10 Subdivision, City of El Paso, El Paso County, Texas, municipally known and numbered as 349 Maricela Drive, El Paso, Texas,

to be \$277.47, performed by the Street Department of the City of El Paso, making a total of \$277.47. The City Council finds that the work was completed on the 16th day of August, 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of TWO HUNDRED SEVENTY-SEVEN AND 47/100 DOLLARS (\$277.47) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

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

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3G.

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, TERESA SAAVEDRA, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Environmental Services proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Environmental Services has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5012 Joe Herrera Drive, more particularly described as Lot 13, Block 14,
Tobin Park Subdivision, City of El Paso, El Paso County, Texas, Parcel
#T527-999-0140-4900,

to be \$347.48 performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total THREE HUNDRED SEVENTY ONE AND 48/100 DOLLARS (\$371.48). The City Council finds that the work was completed on the 18th day of May, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED SEVENTY ONE AND 48/100 DOLLARS (\$371.48) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ROBERTO & ROSALIA PAYAN, owners of the hereinafter described property, were given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owners failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Environmental Services proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Environmental Services has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

ELY PT OF 3 (0.700 ACRE) LOT 1 OF UNRECORDED MAP, Block 6, Christy Subdivision, City of El Paso, El Paso County, Texas, Parcel #C454-999-0060-2100,

to be \$174.28 performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total ONE HUNDRED NINETY EIGHT AND 28/100 DOLLARS (\$198.28). The City Council finds that the work was completed on the 26th day of February, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY EIGHT AND 28/100 DOLLARS (\$198.28) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, RICARDO MARISCAL, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Environmental Services proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Environmental Services has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

4305 Yandell, Lots 14 TO 16 EXC TRIA IN SWC OF LOT 16 (25 FT ON ST, 25 FT ON W, 35.36 FT ON NE), Block 23, French Subdivision, City of El Paso, El Paso County, Texas, Parcel #F716-999-0230-4300,

to be \$282.53, performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total THREE HUNDRED SIX AND 53/100 DOLLARS (\$306.53). The City Council finds that the work was completed on the 18th day of January, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount THREE HUNDRED SIX AND 53/100 DOLLARS (\$306.53) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, GABRIELA ARELLANO, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Environmental Services proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Environmental Services has reported the cost of doing such work in the amount hereinafter set forth.

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

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1407 El Paso, more particularly described as Lots 3 to 5 (9516 SQ FT), Block 26, Alexander Subdivision, City of El Paso, El Paso County, Texas, Parcel #A462-999-0260-2100,

to be \$247.35 performed by the Environmental Services Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, \$24.00, total to wit, making a total TWO HUNDRED SEVENTY ONE AND 35/100 DOLLARS (\$271.35). The City Council finds that the work was completed on the 1st day of May, 2007, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED SEVENTY ONE AND 35/100 DOLLARS (\$271.35) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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3H.

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

That the Classification and Compensation Plan shall be amended, as set forth on the attachment posted with this agenda, as recommended by the Civil Service Commission.

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **BENEFITS SUPERVISOR** is hereby revised as specified in the duties and responsibilities attached hereto. The Code shall remain **12095**. The Grade shall be **PM 127**.
Salary Range: \$43,607.85 - \$63,231.38 (PM 127 to same)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **SENIOR MICROBIOLOGIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **13226**. The Grade is **PM 126**.
Salary Range: \$41,531.29 - \$60,220.36 (PM 126)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **MICROBIOLOGY SUPERVISOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **13228**. The Grade is **PM 128**.
Salary Range: \$45,788.24 - \$66,392.95 (PM 128)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **HEALTH ASSISTANT DIRECTOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22020**. The Grade is **EX 3**.
Salary Range: \$77,109.00 - \$127,231.00 (EX 3)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **PATIENT SERVICES COORDINATOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22030**. The Grade is **EX 4**.
Salary Range: \$70,100.00 - \$115,664.00 (EX 4)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **WIC PROGRAM MANAGER** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22040**. The Grade is **PM 132**.
Salary Range: \$54,542.78 - \$81,814.17 (PM 132)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **WIC SERVICES MANAGER** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22050**. The Grade is **PM 129**.
Salary Range: \$47,116.10 - \$70,674.15 (PM 129)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **CERTIFYING AUTHORITY** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22060**. The Grade is **PM 122**.
Salary Range: \$34,879.72 - \$48,831.61 (PM 122)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **WIC SERVICES SPECIALIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22070**. The Grade is **GS 52**.
Salary Range: \$30,110.32 - \$48,111.02 (GS 52)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **NURSING PROGRAM MANAGER** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22080**. The Grade is **PM 132**.
Salary Range: \$54,542.78 - \$81,814.17 (PM 132)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **PUBLIC HEALTH NURSE** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22090**. The Grade is **PM 128**.
Salary Range: \$45,788.24 - \$66,392.95 (PM 128)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **NURSE SUPERVISOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22100**. The Grade is **PM 130**.
Salary Range: \$49,471.91 - \$74,207.86 (PM 130)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **LICENSED VOCATIONAL NURSE** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22110**. The Grade is **GS 55**.
Salary Range: \$34,856.46 - \$55,694.52 (GS 55)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **MEDICAL ASSISTANT** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22120**. The Grade is **GS 48**.
Salary Range: \$25,298.89 - \$38,979.52 (GS 48)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **CLINICAL ASSISTANT** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22130**. The Grade is **GS 44**.
Salary Range: \$21,265.94 - \$31,552.14 (GS 44)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **NUTRITION SERVICES MANAGER** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22140**. The Grade is **PM 132**.
Salary Range: \$54,542.78 - \$81,814.17 (PM 132)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **SENIOR NUTRITIONIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22150**. The Grade is **PM 126**.
Salary Range: \$41,531.29 - \$60,220.36 (PM 126)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **NUTRITIONIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22170**. The Grade is **PM 124**.
Salary Range: \$38,454.89 - \$53,836.85 (PM 124)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **BREAST FEEDING COORDINATOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22180**. The Grade is **PM 123**.
Salary Range: \$36,623.71 - \$51,273.19 (PM 123)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **COMMUNITY SERVICE AIDE BREASTFEEDING COUNSELOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22190**. The Grade is **GS 44**.

Salary Range: \$21,265.94 - \$31,552.14 (GS 44)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **EPIDEMIOLOGIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22200**. The Grade is **PM 131**.

Salary Range: \$51,945.50 - \$77,918.25 (PM 131)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **DENTAL HYGIENIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22210**. The Grade is **GS 53**.

Salary Range: \$31,615.83 - \$50,516.57 (GS 53)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **DENTAL ASSISTANT** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22220**. The Grade is **GS 45**.

Salary Range: \$22,329.23 - \$33,129.75 (GS 45)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **HEALTH TRAINING & PROMOTIONS MANAGER** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22230**. The Grade is **PM 132**.

Salary Range: \$54,542.78 - \$81,814.17 (PM 132)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **HEALTH EDUCATION SUPERVISOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22240**. The Grade is **PM 126**.

Salary Range: \$41,531.29 - \$60,220.36 (PM 126)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **HEALTH EDUCATION SPECIALIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22250**. The Grade is **PM 122**.

Salary Range: \$34,879.72 - \$48,831.61 (PM 122)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **COMMUNITY HEALTH PREPAREDNESS PLANNER** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22260**. The Grade is **PM 125**.

Salary Range: \$39,553.61 - \$57,352.73 (PM 125)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **PUBLIC HEALTH SUPERVISOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22270**. The Grade is **PM 128**.

Salary Range: \$45,788.24 - \$66,392.95 (PM 128)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **SENIOR PUBLIC HEALTH SPECIALIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22280**. The Grade is **PM 124**.

Salary Range: \$38,454.89 - \$53,836.85 (PM 124)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **PUBLIC HEALTH SPECIALIST** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22290**. The Grade is **PM 122**.
Salary Range: \$34,879.72 - \$48,831.61 (PM 122)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **PUBLIC HEALTH AIDE** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22300**. The Grade is **GS 44**.
Salary Range: \$21,265.94 - \$31,552.14 (GS 44)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **DEPUTY DIRECTOR OF ANIMAL SERVICES** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22310**. The Grade is **EX 4**.
Salary Range: \$70,100.00 - \$115,664.00 (EX 4)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **ANIMAL CONTROL SHIFT SUPERVISOR** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22320**. The Grade is **GS 51**.
Salary Range: \$29,286.64 - \$45,123.66 (GS 51)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **ANIMAL CONTROL OFFICER** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22350**. The Grade is **GS 46**.
Salary Range: \$23,445.69 - \$34,786.24 (GS 46)

That the Classification and Compensation Plan shall be amended as recommended by the Civil Service Commission. The class of **ANIMAL CONTROL ATTENDANT** is hereby created as specified in the duties and responsibilities attached hereto. The Code is **22380**. The Grade is **GS 43**.
Salary Range: \$20,703.33 - \$29,535.99 (GS 43)

Representatives Lozano and Quintana commented.

Ms. Joyce Wilson, City Manager, commented.

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3I.

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

WHEREAS, on August 21, 2007, City Council considered and approved 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 (the "Lease Premises") for public and recreational purposes, specifically for the construction and maintenance of a soccer complex; and

WHEREAS, prior to execution of the document by the Department of the Army, the federal government discovered an inadvertent error in their metes and bounds for the Lease Premises, and the August 21, 2007 lease agreement was never fully executed as a result; and

WHEREAS, the parties desire to correct the metes and bounds for the Lease Premises, with a corresponding reduction in the total acreage and the fair market rental consideration amount of the Lease Premises; and

WHEREAS, the parties wish to rescind the approval of the lease agreement previously approved on August 21, 2007.

WHEREAS, the parties desire to enter into the attached, fully corrected lease agreement.

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

THAT the lease agreement previously approved by Council on August 21, 2007, for the construction and maintenance of a soccer complex on Fort Bliss property, be rescinded; and

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.

Representatives Lozano and Byrd commented.

Mr. Barry Russell, Interim Director of Parks and Recreation commented.

Mr. Richard Dayoub, Greater El Paso Chamber of Commerce, commented.

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3J.

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

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.

Representatives Lozano and Byrd commented.

Mr. Barry Russell, Interim Director of Parks and Recreation, commented and Mr. Charlie McNabb, City Attorney gave legal advice.

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3K.

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

WHEREAS, on October 16, 2007, the City Council of the City of El Paso approved the tax roll prepared by the Tax Assessor/Collector of the City of El Paso (the “**City**”) entering the amount of tax as provided by Section 26.09(e) of the State Property Tax Code in the appraisal roll, creating a tax roll for entities (except for the two school districts named below) for which the City Tax Assessor/Collector collects taxes;

WHEREAS, Tornillo Independent School District and Canutillo Independent School District held a rollback election on November 6, 2007 and the tax roll has been revised;

WHEREAS, the revised tax roll for the all of the taxing entities (including Tornillo Independent School District and Canutillo Independent School District) is on file and available for inspection in the City Tax Office; and

WHEREAS, the City Tax Assessor/Collector now submits the revised appraisal roll to the City Council for approval as the 2007 tax roll.

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

THAT the revised appraisal roll is hereby approved and constitutes the 2007 tax roll for all taxing entities (including Tornillo Independent School District and Canutillo Independent School District) for which the City Tax Assessor/Collector collects taxes.

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4. BOARD RE-APPOINTMENT

*Motion made, seconded, and unanimously carried to **RE-APPOINT** Annabell Perez to the Airport Board by Representative Steve Ortega, District 7.

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5. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** H.W. "Bill" Sparks to the Parks and Recreation Advisory Board by Representative Steve Ortega, District 7.

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6. DISCRETIONARY FUNDS

1ST MOTION

Motion made by Representative Ortega, seconded by Representative Byrd, and unanimously carried to **AMEND** to add the stipulation that if the piano is not acquired and placed in the library within six months, the funds will be returned to District 7's discretionary funds.

2ND AND FINAL MOTION

*Motion made, seconded and unanimously carried to **APPROVE** 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 Ortega commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

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7. APPLICATIONS FOR TAX REFUND

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

- A. Chase Home Finance in the amount of \$2,714.00 overpayment of 2006 taxes. (PID #H793-022-0050-0010).
- B. First American Real Estate Tax Service in the amount of \$3,050.44 overpayment of 2004 taxes. (PID #N425-999-0410-3700).
- C. FIS Tax Services in the amount of \$2,915.37 overpayment of 2006 taxes. (PID #N490-999-0060-2800).

- D. HSBC FIS Tax Services in the amount of \$2,525.52 overpayment of 2007 taxes.
(PID #S812-999-0400-0800).
- E. AMC Mortgage Company in the amount of \$16,985.66 overpayment of 2006 taxes.
(PID #V884-999-0010-0700).

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8. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.

*Motion made, 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 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

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9A. – 9D. INTRODUCTIONS

Motion made by Representative Holguin, 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**, for public hearing:

- A. 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.
- B. 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.
- C. 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.
- D. 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.

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

ABSENT: Representative O'Rourke

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ITEMS TAKEN TOGETHER:

10A. PUBLIC HEARING – DEVELOPMENT SERVICES

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **POSTPONE** for one week the Public Hearing on 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.

10C. PUBLIC HEARING – DEVELOPMENT SERVICES

Motion made by Representative Quintana, seconded by Representative Ortega, and unanimously carried to **POSTPONE** for one week the Public Hearing on 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.

Representative Quintana commented.

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

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10B. PUBLIC HEARING – DEVELOPMENT SERVICES

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to **POSTPONE** for one week the Public Hearing on 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.

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10D.

ORDINANCE 16774

The City Clerk read an Ordinance entitled: **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 20.08.030.C OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mayor Cook and Representative Byrd commented.

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

Mr. Ed Flores, property owner, commented.

Mr. Fernando Chavez and Ms. Martha Martinez, citizens, commented.

Motion duly made by Representative Byrd, seconded by Mayor Pro Tempore 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 Lilly, Byrd, Lozano, Castro, Holguin, and Ortega

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Quintana

ABSENT: Representative O'Rourke

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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10E.

ORDINANCE 16775

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

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

Ms. Yvonne Curry, Conde & Associates, commented.

Motion duly made by Representative Quintana, 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, and Ortega

NAYS: None

ABSENT: Representative O'Rourke

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 16776

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

Mayor Cook and Representatives Ortega and Quintana commented.

Mr. Bob Andron, General Counsel for El Paso Water Utilities Public Service Board, commented.

Mr. Mike Ainsa, Hunt Communities, and Mr. Mark Smith, lobbyist for Hunt Building Corporation, commented.

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

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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12.

ORDINANCE 16777

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

Mr. Ted Marquez, Engineering Division Manager, commented.

Motion duly made by Representative Lilly, 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, and Ortega
NAYS: None
ABSENT: Representative O'Rourke

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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13. PUBLIC HEARING – OFFICE OF MANAGEMENT AND BUDGET

*Motion made, seconded, and unanimously carried to **POSTPONE** for two weeks the Public Hearing on 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.

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14A. MAYOR AND COUNCIL

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 commented.

Mr. Alan Shubert, City Engineer, commented.

NO ACTION was taken on the item.

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14B. MAYOR AND COUNCIL

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.

Mayor Cook and Representatives Lozano and Ortega commented.

Ms. Joyce Wilson, City Manager, and Mr. Alan Shubert, City Engineer, commented.

Mr. Richard Dayoub, Greater El Paso Chamber of Commerce, commented.

NO ACTION was taken on the item.

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Motion made by Representative Quintana, seconded by Representative Holguin, and unanimously carried to
ADJOURN this meeting at 11:07 a.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk