

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  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR SPECIAL CITY COUNCIL MEETING**

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**December 18, 2006**  
**10<sup>th</sup> Floor Conference Room, City Hall**  
**4:00 p.m.**

**AGENDA:** Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, December 19, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

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

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**December 19, 2006**  
**Council Chambers, City Hall**  
**8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Police Chaplain Carlos Flores**  
**Pledge of Allegiance**

### **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/city\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/city_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:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of December 12, 2006, and the Special City Council Meetings of December 7, 2006 (Joint City Council/City Plan Commission), December 8, 2006 (Joint City Council/Public Service Board), and December 11, 2006 (Agenda Review).

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

3. **RESOLUTION(S):**

- 3A. Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

8865 Leopoldo Street	\$1,251.78	<b>District 7</b>	Alfredo Avila
[Development Services, William Stern, (915) 541-4800]			

- 3B. That the City approve a change order decreasing the quantity of work to be performed under the Planning and Project Management Services Agreement between the City of El Paso and Perspectiva + 3D/International by removing from the Agreement performance of the following management services: the construction and warranty phases of the Zoo Entry Project; the construction and warranty phases the Reptile & Biome Buildings Project; the construction and warranty phases of the Africa Expansion Project; the warranty phase of the Parking Lot Project; and removal of the design, procurement, construction, and warranty phases of the New Soccer Facility Project. The total amount of compensation under the contract will be reduced by \$393,283.00. **(All Districts)**  
[Engineering Department, Rick Conner, (915) 541-4423]

- 3C. That the City exercises the option to extend the existing one year Agreement for Geotechnical and Testing Laboratory Services on an as-needed basis by and between the City of El Paso and Amec Earth & Environmental, Inc., for one additional one (1) year period. **(All Districts)**  
[Engineering Department, Rick Conner, (915) 541-4423]

- 3D. That the City exercises the option to extend the existing one year Agreement for Geotechnical and Testing Laboratory Services on an as-needed basis by and

between the City of El Paso and Licon Engineering Co., Inc., for one additional one (1) year period. **(All Districts)** [Engineering Department, Rick Conner, (915) 541-4423]

- 3E. That the City exercises the option to extend the existing one year Agreement for Geotechnical and Testing Laboratory Services on an as-needed basis by and between the City of El Paso and Raba-Kistner (SW), Inc., for one additional one (1) year period. **(All Districts)** [Engineering Department, Rick Conner, (915) 541-4423]
- 3F. That the City terminate the contract between the City and Bain Construction for a project known as Rocky Bluff Drainage Improvements Re-Bid, Contract No. 2005-186, under the provisions of Section 6.9, Right of Owner to Terminate Contract. **(All Districts)** [Engineering Department, Rick Conner, (915) 541-4423]
- 3G. That the City of El Paso supports voiding Minute Order No. 91219 for the purposes of having the State adopt a new Minute Order which would reduce the City's financial responsibility from a hundred percent match to twenty percent match of right-of-way and eligible utility adjustment costs and accelerate the new roadway construction. The new Minute Order would be subject to any appropriate agreements being prepared between the City of El Paso and TXDOT. **(District 1)** [Engineering Department, Teresa Quezada, (915) 541-4771]
- 3H. That the City Manager be authorized to sign a Local Project Advance Funding Agreement (LPAFA) between the City of El Paso ("City") and the State of Texas acting by and through the Texas Department of Transportation ("State"). The scope of work for this Agreement is described as the construction of asphalt bicycle paths with signage and striping on various City streets. The amount of the City's contribution to the project is \$238,588.00. **(Districts 3 & 7)** [Engineering Department, Teresa Quezada, (915) 541-4771]
- 3I. Recommendation to Council to approve Change Order No. 78 to Silverton Construction Co., Inc for the Contract No. 2004-013, Cleveland Square Redevelopment – Main Library Addition & Remodeling, New History Museum & Cleveland Square Park, for an increase amount of \$ 55,573.00. This Change Order will provide additional delayed-alarm operation hardware to nine existing doors at the Main Library for security purposes. Funding Source: 2000 QOL Bond Program. **(District 8)** [Perspectiva + 3D/I (P+3), Veronica Harris, (915) 225-3451]
- 3J. That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and Lea R. Hutchinson to employ Lea R. Hutchinson as a Zoo Projects Consultant for the El Paso Zoo at a biweekly rate of \$2,750.00 for twenty-five (25) hours per week. The term of the contract shall be for the period of December 31, 2006, through December 30, 2008. Funding Source: 52152001-15445-52000. **(All Districts)** [Quality of Life, Deborah Hamlyn, (915) 541-4242]

**4. BOARD RE-APPOINTMENT:**

Roberto Rivera to the History Museum Board by Representative Presi Ortega, Jr. [Representative Presi Ortega, Jr., (915) 541-4189]

**5. APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment A)

**6. BEST VALUE PROCUREMENT:**

The award of Solicitation No. 2007-002, Airport Parking Facility Management, to Standard Parking Corporation for a total award of \$401,780.16.

Department: Aviation  
Award to: Standard Parking Corporation  
Chicago, IL  
Account No.: 62620006-502207-40101  
Funding Source: Airport Operating Fund  
Total Award: \$401,780.16  
**District(s): 3**

This is a five (5) year Contract.

It is requested that staff be authorized to negotiate, the City Attorney's Office to review and the City Manager execute any additional documents and agreements as necessary.

The Departments of Financial Services and Aviation recommend award to the bidder offering the best value bid. [Financial Services, Terrence Freiburg, (915) 541-4313]

**7. BID:**

The award of Solicitation No. 2007-027, Wheel & Axle Alignments, to Advanced Auto Collision Repair Center, Inc., and Stanley Spring & Suspension for a total estimated award of \$75,000.00.

Department: General Services-Fleet Division  
Award to: Vendor 1: Advanced Auto Collision Repair Center, Inc.  
El Paso, Texas  
Item(s): Group I, Automotive Vehicles  
Annual Estimated Amount: \$10,000.00  
Award to: Vendor 2: Stanley Spring & Suspension  
El Paso, Texas  
Item(s): Group II, Heavy Duty Trucks  
Option: Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional year(s) if the option is exercised within one (1) year from the date of the award.  
Annual Estimated Amount: \$15,000.00  
Account No.: 37370510-503125-45202  
Funding Source: Fleet Service Internal Service Fund  
Total Estimated Award: \$75,000.00  
**District (s): All**

This is a requirements type contract with an initial term of thirty six (36) months.

The Departments of Financial Services and General Services-Fleet Division recommend award as indicated to the lowest responsive, responsible bidders.  
[Financial Services, Terrence Freiburg, (915) 541-4313]

**8. DEVELOPMENT AND INFRASTRUCTURE SERVICES:**

Council Ratification of the Storm 2006 on the following professional services contract. Such contracts were entered into by the City Manager under the authority granted by Council in the September 19, 2006 Resolution.

Agreement

Agreement with Jeffrey S. Ward to provide Acquisition and Comparable Replacement Services related to Storm 2006 projects in an amount not to exceed \$250,000. Development and Infrastructure Services, Patricia D. Aauto, (915) 541-4853]

**REGULAR AGENDA - INTRODUCTIONS**

**9. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances. Public comments are invited at the date of the scheduled public hearing.**

**9A.** An Ordinance authorizing the City of El Paso to sell a 2.378-acre parcel of land, more or less, being a portion of Tracts 74-78, inclusive, Cinecue Park Addition, City of El Paso, El Paso County, Texas, to Jorge Valenzuela and Ruben Perea. **(District 7)** [Financial Services, Gonzalo Cedillos, (915) 541-4074]

**9B.** An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.36 (Parades and Public Assemblies), of the City Code to amend the provisions relating to parade costs and fees; the penalty being as provided in Sections 1.08.010 – 1.08.030 of the City Code. **(All Districts)** [Development Services, Harry Steele, (915) 541-4570]

**PUBLIC HEARING WILL BE HELD ON JANUARY 3, 2007, FOR ITEMS 9A – 9B**

**9C.** An Ordinance incorporating the El Paso Water Utilities Public Service Board Northeast Master Plan as a Specific Study Area Plan into the City's comprehensive plan, the Plan for El Paso, and which plan shall amend the Plan for El Paso and the year 2025 General Land Use Map incorporated therein. Subject Property: North of US Highway 54 and East of the Franklin Mountains State Park. Applicant: City of El Paso. **(District 4)** [Development Services/Planning, Christina Valles, (915) 541-4930]

**PUBLIC HEARING WILL BE HELD ON JANUARY 9, 2007, FOR ITEMS 9C**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

**REGULAR AGENDA – PUBLIC HEARINGS**

**10. PUBLIC HEARINGS – DEVELOPMENT SERVICES**

**10A.** An Ordinance changing the zoning of Parcel 1: a portion of Lots 14-26, Block 4, Hughes Subdivision, City of El Paso, El Paso County, Texas, from R-5

(Residential) to M-2 (Manufacturing); and Parcel 2: Lots 9-12, and a portion of Lot 13, Block 4, Hughes Subdivision of Block 2, Alameda Acres, City of El Paso, El Paso County, Texas, from R-5 (Residential) to M-2 (Manufacturing). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Parcel 1: 5713 – 5717 Welch Avenue; and Parcel 2: 218 Glenwood Drive. Applicant: George Valenzuela. ZON06-00097 **(District 3)**.

**THIS IS AN APPEAL CASE.**

[Development Services/Planning, Stephen Schlett, (915) 541-4935]

- 10B.** An Ordinance changing the zoning of Lots 15 and 16, Block 86, Franklin Heights, City of El Paso, El Paso County, Texas, from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1207 Arizona Avenue. Applicants: Roberto & Ludivina Ramirez. ZON06-00115 **(District 8)**

[Development Services/Planning, Stephen Schlett, (915) 541-4935]

- 10C.** An Ordinance changing the zoning of Parcel 1: a portion of Tract 1A3, Section 38, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-2 (Commercial); and Parcel 2: a portion of Tract 1A, Section 38, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-3 (Commercial) The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 9742 North Loop Road. Applicant: Camino Real Properties I, Limited. ZON06-00122 **(District 5)**

[Development Services/Planning, Stephen Schlett, (915) 541-4935]

- 10D.** An Ordinance changing the zoning of the West 76 feet of Tract 16, all of Tract 17 and 1/2 of the adjacent closed Maryland Road of Griems Subdivision of Block B of the Collingsworth Subdivision, an addition to the City of El Paso, El Paso County, Texas, from A-2 (Apartment) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 6001 Griems Court. Applicant: Ruben and Carmen Perea. ZON06-00103 **(District 3) THIS IS AN APPEAL CASE.**

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

- 10E.** An Ordinance changing the zoning of Lots 25 and 26, Block 2, Val Verde Addition, El Paso, El Paso County, Texas, from M-1 (Light Manufacturing) to C-4 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Alberta and West of Concepcion. Applicant: Paul Enriquez, Fernando Enriquez, Linda Carrasco. ZON06-00116 **(District 3)**

[Development Services/Planning, Arlan Greer, (915) 541-4723]

- 10F.** An Ordinance changing the zoning of Tract 11B, Block 9, Upper Valley Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to R-2 (Residential) and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Ada Lane and West of Valley. Applicant: Enrique Escobar. ZON06-00125 **(District 1)**

[Development Services/Planning, Arlan Greer, (915) 541-4723]

- 10G.** An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by the El Paso City Council in 1999, and as subsequently amended, to

delete the proposed Camelot Heights Drive as a minor arterial between Stanton Street and Mesa Drive. Applicant: SBS Development Company, LLC. **(District 1)** [Development Services/Planning, Christina Valles, (915) 541-4930]  
 POSTPONED FROM 11-07-06 AND 11-28-06

**10H.** An Ordinance changing the zoning of Tract 3-G, Block 2, and a portion of Tract 19A, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 9742 North Loop Road. Applicant: Quantum Engineering Consultants. ZON06-00109 **(District 6)**  
 [Development Services/Planning, Stephen Schlett, (915) 541-4935]  
 POSTPONED FROM 11-28-06

**10I.** An Ordinance vacating a portion of Convair Road right-of-way within El Paso International Airport Tracts Unit 5, City of El Paso, El Paso County, Texas. Subject Property: East of Convair Drive and West of Northrop Drive. Applicant: El Paso International Airport. SV06006 **(Districts 2 & 3)**  
 [Development Services/Planning, Jim Fisk, (915) 541-4638]

**10J.** An Ordinance designating the five areas described as Redevelopment Districts in the El Paso Downtown 2015 Plan as a Tax Increment Reinvestment Zone; describing the boundaries of the Zone; creating a Board of Directors for the Zone; providing for an effective date and a termination date for the Zone; naming the Zone “Reinvestment Zone Number Five, City of El Paso, Texas”; establishing a Tax Increment Fund; and containing other provisions related thereto.  
**(City Downtown/District 8)**  
 [Development and Infrastructure Services, Patricia D. Adatao, (915) 541-4853]

**10K.** Discussion and action on a Resolution that the City Council resolves not to consider the use of eminent domain as an implementation strategy within the study area of the downtown revitalization for any project other than for public purposes until after November 1, 2008. **(City Downtown-District 8)**  
 [Development and Infrastructure Services, Patricia D. Adatao, (915) 541-4853]

**11. PUBLIC HEARINGS – FINANCIAL SERVICES:**

**11A.** An Ordinance to establish regulations whereby the City of El Paso may refuse to enter into an agreement with a person indebted to the City of El Paso, and whereby the City of El Paso may offset amounts it owes vendors by amounts owed by vendors to the City of El Paso. **(All Districts)**  
 [Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293] POSTPONED FROM 12-05-06

**11B.** An Ordinance reaffirming the authorization, approved in Ordinance No. 016484, for the City of El Paso to sell a 12.197 acre parcel of land, more or less, being a portion of Tract 6B, S.A. & M.G. Railways Survey Company No. 268 and a portion of Tract 3B, John Whittaker Survey, No. 134, City of El Paso, El Paso County, Texas, to Ham Management, LLC, and correcting an error in the legal description to include "all of Tract 10C2" and “now known as Tract 3B2” in the identified legal description and survey. **(District 1)**  
 [Financial Services, Gonzalo Cedillos, (915) 541-4074]

**REGULAR AGENDA – OTHER BUSINESS**

**12. MAYOR AND COUNCIL:**

**12A.** Discussion and action regarding a Resolution approving the City of El Paso’s Legislative Agenda for the 80<sup>th</sup> Texas Legislative Session and adopting a Statement of Policy for the City of El Paso regarding legislation in the 80<sup>th</sup> Texas Legislature and actions before State administrative agencies. **(All Districts)**  
[City Attorney’s Office, Sylvia Borunda Firth, (915) 541-4656]

**12B.** Discussion and action on a Resolution that the City of El Paso calls on the Governor of the State of Texas and our representatives in the Texas Legislature to adopt legislation requiring the mandatory disclosure of real property sales prices to appraisal districts to ensure the fair and equitable valuation and taxation of all real property in the State of Texas. **(All Districts)**  
[City Attorney’s Office, Sylvia Borunda Firth, (915) 541-4656]

**13. ENGINEERING:**

Discussion and action on a Resolution of the City Council of El Paso, Texas, regarding notice and hearing on the creation of the El Paso Public Improvement District No. 1 (Thunder Canyon). **(District 1)**  
[Engineering Department, Rick Conner, (915) 541-4423]

**14. FINANCIAL SERVICES – BEST VALUE PROCUREMENT:**

Discussion and action on the award of Solicitation No. 2006-190, Pavo Real Swimming Pool Improvements, to F.T. James Construction, Inc. of El Paso, Texas, for a total amount of \$1,963,002.00.

Department:	Parks and Recreation
Award to:	F.T. James Construction, Inc. El Paso, Texas
Item(s):	Base Bid: \$1,963,002.00
Account No(s):	14101001-PQLPA144-60144-508027 31130500-PQLPA144-60176-508027
Funding Source:	2000 Quality of Life Bonds and Parks Contingency Funds
Total Award:	\$1,963,002.00
<b>District(s):</b>	<b>6</b>

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 \$25,000.00 per numbered change order without further authorization by City Council.

This is a lump-sum contract.

The Financial Services, Parks, and Engineering Departments recommend award to the bidder offering the best value bid.

[Financial Services, Terrence Freiburg, (915) 541-4313]  
[Engineering Department, Rick Conner, (915) 541-4423]

**15. CITY MANAGER:**

City Manager's report of current events and issues:

Discussion and action on issues related to Storm 2006.

[Development Services, R. Alan Shubert, (915) 541-4557]

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Discussion and action on the Planning and Project Management Services Agreement between the City of El Paso and Perspectiva + 3D/International. (551.071).  
[City Attorney's Office, Lupe Cuellar, (915) 541-4550]
- EX2.** Discussion and action on possible purchase, exchange, lease, or value of Civic Center Plaza complex property. (551.071 and 551.072).  
[City Attorney's Office, Charlie McNabb, (915) 541-4550]
- EX3.** Discussion and action on matters related to AB Fall Mansion. (551.071).  
[City Attorney's Office, Laura P. Gordon, (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 CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

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