

OSCAR LEESER
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JANUARY 21, 2014
8:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:00 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Cortney Carlisle Niland, Larry Romero, Michiel R. Noe, Lilia Limón, and Ann Morgan Lilly. Late arrivals: Carl Robinson at 8:02 a.m. and Eddie Holguin, Jr. at 8:13 a.m. Absent: Emma Acosta requested to be excused. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

PLEDGE OF ALLEGIANCE

RANCHLAND HILLS MIDDLE SCHOOL

REBECCA CAMPA
ANGELA HERNANDEZ
ERICK MORENO
BRANDON BETANCOURT
KRISTIAN MANCILLAS
JOSE DANIEL SERRANO

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 8:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Ms. Wally Cech
2. Mr. Pierre Andre Euzarraga

MAYOR'S PROCLAMATIONS

1. WILLIE MIER DAY
2. ACTIVITY DIRECTORS WEEK

CONSENT AGENDA

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, 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, Romero, Robinson, Noe, Holguin, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Acosta

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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 January 14, 2014, and the Legislative Review Meeting of the Whole of January 13, 2014.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and carried to **EXCUSE, AS REVISED** Representative Emma Acosta from the Regular Council Meeting of January 21, 2014.

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3.1 BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Sam Shallenburger to the Capital Improvements Advisory Committee by Representative Cortney Niland, District 8.

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4.1 CITY DEVELOPMENT

Motion made by Representative Robinson, seconded by Representative Romero, and unanimously carried to **ACCEPT** a request from James McKnight, on behalf of Sam's Real Estate Business Trust for City Council to grant an exception from the prohibition of the sale of alcoholic beverages within three hundred feet of a school for the property located at 9498 Gateway North Boulevard and legally described as Lot 1, Block 3, Castner Range, City of El Paso, El Paso County, Texas pursuant to Title 20 Zoning, Section 20.10.060 of the El Paso City Code.

NOT PRESENT FOR THE VOTE: Representative Acosta

Mr. Mathew McElroy, Director of City Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Holguin, Robinson, and Limon commented.

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5.1

RESOLUTION

WHEREAS, on June 19, 2012 and June 18, 2013, the City Council for the City of El Paso respectively adopted Final Action Plans for 2012-2013 and 2013-2014 for the Consolidated Plan 2010-2015, including the 38th Year (2012-2013) and 39th Year (2013-2014) Community Development Block Grant (CDBG) Programs, and on those same dates authorized the City Manager to sign and submit to the United States Department of Housing and Urban Development (HUD) the Annual Action Plans (2012-2013 and 2013-2014) and all certifications contained therein; and

WHEREAS, the City Council, based on the recommendation of the Director of the Community and Human Development Department, now desires to amend the Annual Action Plans (2012-2013 and 2013-2014) of the 2010-2015 Consolidated Plan and 2012-2013 and 2013-2014 CDBG Program Budgets by changing locations of an accessible pedestrian signal project in the 38th Year program; adding one housing rehabilitation activity and one public facility activity in the 39th Year program; and deleting one public service activity from the 39th Year program; and

WHEREAS, on December 13, 2013, the City of El Paso published in the El Paso Times and El Diario newspapers public notice and allowed a 30-day public comment period regarding the proposed amendments to the Annual Action Plans (2012-2013 and 2013-2014) and 38th Year (2012-2013) and 39th Year (2013-2014) CDBG Program Budgets and City Council has duly considered public comment, if any; and

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

1. That the Annual Action Plans (2012-2013 and 2013-2014) and 38th Year (2012-2013) and 39th Year (2013-2014) CDBG Program Budgets are hereby amended as follows:

Accessible Pedestrian Signals – \$110,152 (**All Districts**): This 38th Year (2012-2013) public facility project originally received funding to install accessible pedestrian signals at the following four locations: (1) Hondo Pass & Gateway North, (2) Hondo Pass & Gateway South, (3) Viscount & Sunmount and (4) Santa Fe & Main. Two of the locations (Viscount/Sunmount & Santa Fe/Main) will be dropped and replaced with the following three locations: (1) Wedgewood/Album, (2) Yarbrough/Album and (3) Alameda/Magoffin. The change will not affect the budgeted amount;

St. Anne's Center Residential Complex – \$1,275,000 (**District #8**): This housing rehabilitation project, located at 600 South Piedras, is added to the 39th Year (2013-2014) CDBG program. The project entails construction of a 12-unit, mixed-bedroom, multi-family facility with most or all of the units being for low- and moderate-income households. The funds for this project will be transferred from the CDBG Unprogrammed Funds Account;

Grandview Senior Citizen Center HVAC System – \$437,900 (**District #2**): This public facility project, located at 3134 Jefferson Avenue, is added to the 39th Year (2013-2014) CDBG program. The project entails demolition, the installation of new heating/cooling systems and components, replacement of light and ceiling mounted fixtures, and patching and/or modifying roof and wall openings as needed. The funds for this project will be transferred from the CDBG Unprogrammed Funds Account; and

Project ARRIBA – \$30,000 (**All Districts**): This public service project is deleted from the 39th Year (2013-2014) CDBG program by mutual agreement between the City of El Paso and Project ARRIBA. Funds from this project will be transferred to the CDBG Unprogrammed Funds Account for future use.

2. That the City Manager be authorized to take any actions necessary to accomplish the intent of this resolution upon approval by the City Attorney's Office and Director of Community and Human Development Department.

Mayor Leeser and Representative Limon commented.

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

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representative Acosta

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TAKEN INTO EXECUTIVE SESSION WITH EX1

6.1 MAYOR AND COUNCIL

1ST MOTION

Motion made by Representative Lilly, seconded by Mayor Pro Tempore Niland, and carried to **POSTPONE** the item until August 26, 2014. **THE MOTION FAILS.**

AYES: Representatives Lilly, Romero and Niland

NAYS: Representatives Robinson, Noe, Holguin and Limón

NOT PRESENT FOR THE VOTE: Representative Acosta

2ND MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **EXCUSE** Representative Acosta from the Regular Council Meeting of January 21, 2014.

3RD MOTION

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

4TH AND FINAL MOTION

Motion made by Representative Noe, seconded by Representative Limón, and carried to **DIRECT** staff to prepare an ordinance to reduce the spacing to 500 feet and work on modifications to the special permit requirements only for TXDOT projects and not in scenic corridors and get a specific list of what signs are involved and their locations, reporting back to City Council.

AYES: Representatives Romero, Robinson, Noe, Holguin and Limón

NAYS: Representatives Lilly and Niland

ABSENT: Representative Acosta

Mayor Leaser and Representatives Noe, Robinson, Lilly, and Niland commented.

Ms. Karla Nieman, Assistant City Attorney, presented a PowerPoint presentation (copy on file in City Clerk's office) and gave legal advice.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager,
2. Ms. Sylvia Firth, City Attorney, gave legal advice.
3. Mr. Mathew McElroy, Director of City Development

The following members of the public commented:

1. Mr. Gus Cannon, TXDOT
 2. Ms. Wendy Knox, TXDOT
 3. Mr. V J Smith, Clear Channel
 4. Mr. Michael Mons, Lamar Advertising
 5. Mr. Ray Mancera, citizen
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Motion made by Representative Lilly, seconded by Mayor Pro Tempore Niland, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:42 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 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: Representative Acosta

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to adjourn the Executive Session at 9:47 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Acosta

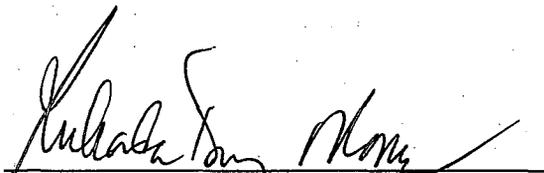
EX1. 89 acres of land, more or less, being a portion of Tract 1-A, Nellie D Mundy Survey 240, Abstract 9932, Anthony, Texas. (551.071 and 551.072)

NO ACTION taken on this item.

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 11:26 a.m.

ABSENT: Representative Acosta

APPROVED AS TO CONTENT:


Richarda Duffy Monsen, City Clerk