

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  
FEBRUARY 4, 2014  
8:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:05 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Emma Acosta, Carl Robinson, Eddie Holguin, Jr., Lilia Limón, and Cortney Carlisle Niland. Late arrival: Michiel R. Noe at 8:21 a.m. The invocation was given by CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

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**PLEDGE OF ALLEGIANCE**

**MARIAN MANOR ELEMENTARY SCHOOL**

**KAITLYN CHACON  
COREY DUBRULE  
ALEJANDRO GURROLA  
ROSARIO OLMOS**

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**CALL TO THE PUBLIC – PUBLIC COMMENT**

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

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

Requests to speak must be received by 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. Ms. Diana Hernandez
3. Ms. Mely O'Neil
4. Mr. Pierre Andre Euzarraga
5. Mr. Nathan "Motown" Mack

Mayor Leeser and Representative Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

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**MAYOR'S PROCLAMATIONS**

1. **BLACK HISTORY MONTH**
  2. **AMERICAN HEART MONTH**
  3. **CHILDREN'S DENTAL HEALTH MONTH AND PRESENTATION OF NEW DENTAL VAN**
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**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, Acosta, Robinson, Noe, Holguin, Limón, and Niland  
NAYS: None

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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

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

**NO ACTION** was taken on this item.

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**3.1**

**\*RESOLUTION**

**WHEREAS**, the El Paso Marathon Foundation is hosting The 2014 El Paso Marathon from 7:00 am to 1:00 pm Sunday, February 23, 2014 (hereinafter referred to as the "Event") with traffic control beginning at 6:30 am; and

**WHEREAS**, The Event will utilize both City and State rights-of-way; and

**WHEREAS**, The City of El Paso (hereinafter referred to as the "City") has found the Event serves a public purpose; and

**WHEREAS**, The City has permission to utilize portions of City rights-of-way for the Event; and

**WHEREAS**, The State of Texas (hereinafter referred to as the "State") owns and operates a system of highways for public use and benefit within El Paso, Texas; and

**WHEREAS**, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

**WHEREAS**, The State in recognition of the public purpose for the Events wishes to cooperate with the City, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12;

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

That the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas for the temporary closure and use of State owned portions of Transmountain Road (Loop 375), Patriot Freeway (US 54), Gateway Boulevard South (IH10 Frontage Road), McCombs Street (FM2529), Montana Avenue

(US 62), Pershing Drive (Loop 478), Wyoming Avenue (IH 10 Frontage Road), El Paso Street (US 62/85), Mesa Street (SH20) and Yandell Drive (IH 10 Frontage Road) during the 2014 El Paso Marathon on February 23, 2014, an event scheduled to exceed four hours in length and found by the City to serve a public purpose.

**4.1 BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Sam Guido to the Building and Standards Commission, as a regular member, by Mayor Oscar Leaser.

**4.2 BOARD APPOINTMENT**

\*Motion made, seconded, and unanimously carried to **APPOINT** Randy Boggs to the Building and Standards Commission, as a regular member, by Mayor Oscar Leaser.

**5.1 INTRODUCTIONS**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, 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:

- 5.1. An Ordinance annexing the following real property described as a portion of Section 48, Block 79, & portion of Sections 18 & 19, Block 78, Township 2, Texas and Pacific Railway Co. Surveys, El Paso County, Texas. Subject Property: South of the future extension of Pebble Hills Boulevard (between John Hayes Street and the future Tim Floyd Street) and at the intersection of the future extensions of Ralph Seitsinger Drive and Tim Floyd Street; Property Owners: Ranchos Real Land Holdings, LLC and County of El Paso SUAX12-00002

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 18, 2014**

**ITEMS TAKEN TOGETHER**

**6.1**

**ORDINANCE 18119**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 1 TO 22 AND 24 TO 27, BLOCK 1, BOULDER CANYON SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM PR-1/C (PLANNED RESIDENTIAL 1/CONDITION) TO PR-II (PLANNED RESIDENTIAL 2); AND RELEASING ALL CONDITIONS PLACED ON THE SUBJECT PROPERTY BY ORDINANCE NO. 16586 WHICH CHANGED THE ZONING OF LOTS 1 TO 22 AND 24 TO 27, BLOCK 1, BOULDER CANYON SUBDIVISION. THE PENALTY IS AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: EAST OF WESTWIND AND NORTH OF BELVIDERE. PROPERTY OWNER: DVEP LAND, LLC. PZRZ13-00007 & PZCR13-00007**

**6.2**

**ORDINANCE 18120**

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR LOTS 1 TO 22 AND 24 TO 27, BLOCK 1, BOULDER CANYON SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: EAST OF WESTWIND AND NORTH OF BELVIDERE. PROPERTY OWNER: DVEP LAND, LLC. PZDS13-00025**

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

Mayor Leeser and Representative Noe commented.

Mr. Jorge Azcarate, CEA Group, commented.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Lilly, that the Ordinances 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, Romero, Acosta, Robinson, Noe, Holguin, Limón, and Niland  
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinances, the same be and the same are hereby **ADOPTED**.

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**6.3**

**ORDINANCE 18121**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 2, BOOTHVILLE SUBDIVISION, 8631 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-1 (COMMERCIAL) AND IMPOSING CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 8631 NORTH LOOP DRIVE. PROPERTY OWNER: WESTSTAR BANK, INDEPENDENT EXECUTOR OF THE ESTATE OF EDWARD ABRAHAM, DECEASED. PZRZ13-00042**

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

Mayor Leeser and Representative Limón commented.

Motion duly made by Representative Limón, seconded by Representative Noe, 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, Romero, Acosta, Robinson, Noe, Holguin, Limón, and Niland  
NAYS: None

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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**7.1**

**ORDINANCE 18122**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.56 (PARKING METERS), SECTION 12.56.020F (INSTALLATION) TO ADD AN EXCEPTION FROM PARKING METER FEES FOR ONE HOUR NEAR CITY HALL AND THE ONE-STOP-SHOP; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Mr. Ted Marquez, Director of Department of Transportation, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Niland commented.

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

NAYS: None

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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**8.1**

**ORDINANCE 18123**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE NO. 017603, TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT) TO DELETE THE FLOW CONTROL REQUIREMENT THROUGHOUT THE CHAPTER AND TO DELETE THE HAULER'S FRANCHISE FEE IN SECTION 9.04.410B.3 (HAULER PERMIT APPLICATION, ISSUANCE, AND APPEAL PROCEDURES) AND SECTION 9.04.530E (FEES GENERAL); THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE.**

Representative Noe commented.

Mr. John Garza, Deputy Director for Environmental Services, commented.

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

NAYS: None

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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**ITEMS TAKEN TOGETHER**

**9.1**

**ORDINANCE 18124**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND P.V. COMMUNITY DEVELOPMENT CORPORATION WHICH WILL ALLOW THE CITY TO CONVEY LOTS 27, 28, 29, 30, 31 AND 32, BLOCK P-2, GARDEN SUBDIVISION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF ON FILE IN VOLUME 11, PAGE 39, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS, ALSO KNOWN**

**AS 600 SOUTH PIEDRAS, EL PASO, TEXAS, CITY OF EL PASO, EL PASO COUNTY, TEXAS TO P.V. COMMUNITY DEVELOPMENT CORPORATION.**

Mr. William Lilly, Director of Community an Human Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Niland and Limón commented.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Noe, 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, Romero, Acosta, Robinson, Noe, Holguin, Limón, and Niland  
NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

**10.1**

**RESOLUTION**

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

That the City Council of the City of El Paso hereby approves a Community Development Block Grant Written Agreement for an amount of \$1,230,000.00 to P.V. Community Development Corporation for an affordable rental housing development involving rehabilitation of 12 apartment units for very low, low, and moderate-income persons, located at 600 South Piedras, El Paso, Texas 79905-4117, as recommended by the Director of Community and Human Development.

Upon approval by the City Attorney's Office, the City Manager is authorized to sign the applicable Community Development Block Grant Program Written Agreement in a form substantially similar to the form contract attached as Exhibit "A", and any related contract documents necessary to effectuate the award and to secure and protect the City's lien interest,.

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

**11.1 CITY DEVELOPMENT**

Motion made by Representative Acosta, seconded by Representative Noe, and unanimously carried to **APPROVE** with findings a request from Steven T. Wheeler, on behalf of Gordon Welch, for City Council to grant an exception from the prohibition of the sale of alcoholic beverages within three hundred feet of a daycare for the property located at 1201 Airway and legally described as INTL INDUSTRIAL CENTER #1 23 TO 27 & 22 EXC (NELY PT) & 28 EXC (SWLY TRIA) & NELY PT OF 29 & NELY TRIA OF 30, City of El Paso, El Paso County, Texas, pursuant to Title 20 Zoning, Section 20.10.060 of the El Paso City Code.

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

Representatives Noe, Robinson, and Acosta commented.

**12.1 PURCHASING AND STRATEGIC SOURCING**

**1<sup>ST</sup> MOTION**

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

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried to **DIRECT** staff to bring back the item in sixty days or sooner if Mr. Bruce Collins has included each Council member.

Mr. Bruce Collins, Director of Purchasing and Strategic Sourcing, presented a PowerPoint presentation (copy on file in City Clerk's office).

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

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Tony Ramos, Enterprise Application Manager, Information Technology
- 3. Ms. Sol Cortez, Assistant City Attorney, gave legal advice.

The following members of the public commented:

- 1. Mr. Joseph Riccillo, SUNT Company
- 2. Mr. Terry Reed, El Paso Hispanic Chamber of Commerce
- 3. Mr. Fred Stone, Sun Construction, Regional Manager
- 4. Mr. Jose Lopez, representing SUNT Company
- 5. Mr. Richard Dayoub
- 6. Mr. Adam Pacheco, AGC, El Paso Chapter
- 7. Mr. Jose Reyes
- 8. Mr. Joe Gomez
- 9. Mr. Charles Dodd
- 10. Ms. Rene Jimenez, Architects CEO

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**13.1 CITY ATTORNEY**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **POSTPONE** three weeks the Resolution ordering Texas Gas Service Company ("Texas Gas"), a division of ONE Gas, Inc., an Oklahoma Corporation, to show cause regarding why its base rates for gas distribution service in the City of El Paso should not be lowered; requiring Texas Gas to file a rate filing package with the City of El Paso no later than April 4, 2014; requiring City Council after receipt of the filing package to schedule a hearing to determine just and reasonable rates; and ordering the City Manager to notify Texas Gas Service Company regarding this order.

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Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:52 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.

Motion made by Mayor Pro Tempore Niland, seconded by Representative Robinson, and unanimously carried to adjourn the Executive Session at 11:22 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

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**EX1.** Inquiry into the Affairs and Earnings of Texas Gas Service Company, a Division of ONE Gas, Inc. (551.071)

**NO ACTION** taken on this item.

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**EX2.** 300 N. Campbell, El Paso, Texas. (551.071 and 551.072)

**NO ACTION** taken on this item.

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**ADDITION TO THE AGENDA**

**1.1 MAYOR AND COUNCIL**

Discussion and action on security and evacuation procedures at City Hall and other city facilities.

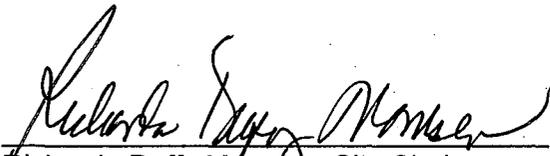
Mayor Leeser and Representatives Robinson and Limón commented.

Ms. Joyce Wilson, City Manager, commented.

**NO ACTION** taken on this item.

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Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **ADJOURN** this meeting at 11:36 a.m.

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**APPROVED AS TO CONTENT:**

  
Richarda Duffy Mømse, City Clerk